University of Alberta

Political Perfectionism, Tolerance and Education

by

John Stewart Macnab

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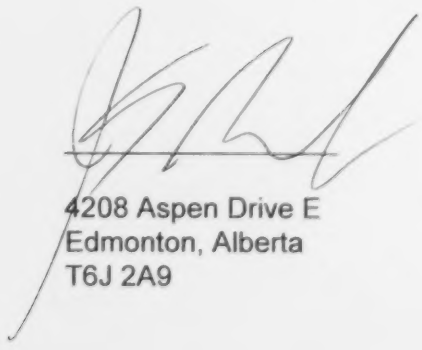

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Abstract

Political perfectionism is the doctrine that there is no principled objection to the promotion of the good by the state. A powerful recent statement of liberal perfectionism has been put forward by Joseph Raz in which he claims that the liberal state has a duty to promote the exercise of personal autonomy. This implies that there are numerous valuable yet incompatible lives possible within society. This implication supports the significance of the virtue of tolerance within liberal society. This paper is a critical exposition and defense of Raz's perfectionist liberalism in light of the educational significance of a state that recognizes duties of well-being informed by the ideal of autonomy. Finally, it considers the more demanding ideals of recognition and multiculturalism, recognizing their desirability while demonstrating that there are cases where they are too much to ask, leaving tolerance as the deepest commitment that can be demanded of citizens.

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Introduction

Liberal democracy entails belief and practice that places the individual as the cornerstone of society. That is, through the exercise of autonomy both inside and outside the realm of civic obligation individuals build, maintain and shape the future of liberal society. Even if the above is uncontested, the meaning of autonomy within a liberal democratic state remains controversial. Some suppose that autonomy is consistent with strong cultural loyalties within a multicultural polity; others would argue that one cannot adopt autonomy as an ideal without surrendering something essential to cultural membership. Further, even if agreement on the meaning of autonomy might be reached, there can remain some profound differences with regard to its justification and, hence, its political value within a just society. The following addresses all these questions, admittedly not exhaustively, in the context of a critical exposition and defense of Joseph Raz's perfectionist liberalism.

It is my purpose to trace through some key ideas in Raz's *The Morality of Freedom* to make sense of the importance of autonomy-based freedom as a political ideal and as a guiding principle in public education. Whatever political importance autonomy might have, it must be of significance to state-funded education in two main ways. First, the school is a political institution, subject to the question of legitimacy that applies to all public institutions. That is, the school has publicly stated and publicly accountable purposes within the liberal polity. The means used and ends sought by the schools must be,

therefore, compatible with the means and ends of the state in general; i.e. if the state actively supports personal autonomy as an ideal, it is of relevance to political institutions, including schools. Second, the school is engaged in activities which are supposedly in the interests of current and future citizens. That is, the students of public schools are engaged in a process which is at least in part an initiation into future full participation in society. Again, if political participation involves a commitment to the ideal of personal autonomy, then students have an interest in their anticipatory autonomy. That is, children are usually not fully autonomous, but have an interest in being so in the future. In this sense, the child's interest in autonomy is not in exercising it now, but in acquiring the capacities that will make it possible to exercise in the future.[1] Further, if autonomy is seen to be a constituent ingredient of the good life within a liberal polity, then it is surely a relevant ideal for individual students to aspire to.

The second main concept of this paper is the nature of tolerance in a liberal polity. It is clearly our experience that liberal states, with the wide array of acceptable forms of life contained therein are prone to internal conflict. The virtue of tolerance is taken to be an important component of both stability and freedom within liberal states. If this is so, then the schools must also have an interest in tolerance. Education, as characterized above, must entail both a commitment to the development of the virtue of tolerance

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[1] The notion of anticipatory autonomy rights is developed by Joel Feinberg, "The Child's Right to an Open Future" in *Whose Child?* William Aiken and Hugh LaFollette (eds.) Totowa NJ,

and a commitment to maintaining appropriate tolerance in its activities. These twin aims—education for tolerance and education with tolerance—I will argue, are closely interdependent in public education in a liberal state.

With this in place, I can sketch the basic shape of the argument to be pursued. A perfectionist state is a state which sees no principled objection to promoting the good of its citizens. Following Raz, I will further claim that the ideal of personal autonomy is a good to be promoted in the liberal state. That autonomy is an ideal worthy of state support is seen from the nature of well-being in modern industrial society. In our day, we have created social forms that are best realized by autonomous individuals. If the state has an interest in the well-being of individuals, then it has an interest in their autonomy, as autonomy is essential to most flourishing forms of life available to us today. That autonomy is an important ingredient to flourishing lives in modern society is an important claim, but one which I do not have the space to fully justify. I believe I can make the claim without deep justification because it is one of the few points of general agreement among liberals of all stripes. These lines of agreement will be explored in chapter one through a comparison of Raz's commitment to autonomy with that of Will Kymlicka. Liberals often disagree on whether the state ought to actively promote forms of life which are autonomous, of course, but there is little debate on whether autonomy is itself a worthwhile ideal.

Rowan and Littlefield, 1988.

Autonomy is what allows an individual to be at least part author of her own life. That is, the autonomous life is a life that is largely self-propelled and self-defined. Autonomy exists, of course, on a continuum; it is not merely a matter of having it fully or not at all. The ideal of autonomy is something that is approached with varying degrees of attainment in a wide range of lives. Autonomy cannot be realized if the conditions of autonomy are not in place. Thus, the perfectionist state has an interest in supporting the conditions that make autonomy possible for individuals.

This may seem at first to be paradoxical. On one hand I am claiming that our society is such that forms of life that require autonomy abound, but on the other I am claiming that the state must support autonomy for it citizens. This is not contradictory in that the forms may be structurally supported even if no one is available to fill them. Without adequate development and support, there might be no one able to flourish in a given form of life. This is analogous to a good job. If an excellent opportunity for employment arises, but no one is capable of doing the job, it will be unfulfilled. If, however, training is made available, then a meaningful form of employment will be appropriately taken by a person who is able to flourish in the new working environment. Similarly, our society might structurally permit certain forms of autonomous life, but if autonomous individuals are not plentiful, the forms are of no use to anyone.

So I am claiming that there is a social interest in securing the conditions for autonomy for citizens. These conditions include personal skills

and dispositions, the presence of an adequate range of options, and freedom from coercion in the choice and exercise of these options. The school's principal interest in the conditions for autonomy will be in the development of appropriate skills and dispositions for its ultimate acquisition and exercise.

The second main claim I make is with regard to what Raz calls "value pluralism." Value pluralism is the view that there is a plurality of distinct and incommensurable virtues within human lives. To claim that virtues (or options or lives) are incommensurable is to claim that they are not measurable with respect to one another. Raz gives a simple definition:

> A and B are incommensurate if it is neither true that one is better than the other nor true that they are of equal value.[2]

Note also that one cannot have all conceivable virtues in any one life. Raz defines a form of life as *morally maximal* if it cannot be improved by the acquisition of additional virtues[3]; the claim here is that there are numerous incommensurable morally maximal forms of life. Thus, the liberal state must recognize that there is not only one vision of the good to be protected, but that there are many and that it is impossible to rank them in terms of their respective moral worth. One cannot, for example, possess all the virtues of a good nun and a good mother simultaneously.

Value pluralism points to the need for the virtue of tolerance. Not only are morally maximal lives incommensurable, they may be directly antagonistic. When valuable options that we do not pursue are remote from

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[2] Joseph Raz, *The Morality of Freedom* (Oxford, Clarendon Press, 1986) p. 322.

our lives, they represent no threat at all. In pluralistic societies, however, these options are often present and tempting. We might question our choices; we might feel antagonism toward those who choose paths other than ours and so on. To succeed in a chosen form of life, we need to have commitment to it; and this commitment is often directly at odds with ways we have rejected. It is not surprising, then, that conflict is rife in pluralistic society. Raz comments that

> Tension is an inevitable concomitant of accepting the truth of value pluralism. And it is a tension without stability, without a definite resting-point of reconciliation of the two perspectives, the one recognizing the validity of competing values and the one hostile to them. There is no point of equilibrium, no single balance which is correct and could prevail to bring the two perspectives together. One is forever moving from one to the other from time to time.[4]

Chapter two moves from the principle of value pluralism to the virtue of tolerance. Value pluralism indicates that there may be many incompatible forms of life; the nature of the incompatibility is such that many maximal lives may be directly at odds with one another. The virtue of tolerance is what makes it possible for the incompatible lives to coexist in a way that avoids allowing some lives to unjustifiably dominate others.

Raz provides a four-part definition of tolerance that highlights its relationship to autonomy and value pluralism. For Raz, tolerance is the curbing of the desire to act out on antagonism felt toward features of the life of another. The antagonism must be based upon a judgment regarding

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[3] *The Morality of Freedom* p. 396.

deficiencies or limitations in that person. Further, the act that is desired would typically be unwelcome to its recipient. Finally, the curbing is done in an attempt to allow the person to gain or keep some advantage.[5] This is best illustrated with an example. If I strongly disapprove of my neighbour's religion and desire to set him straight by playing recordings of my beliefs at a high volume, this would be an action that would typically be unwelcomed by the neighbour. It would be an action based upon my judgment of the deficiencies in his lifestyle. But if in the end I come to believe that in spite of my misgivings on the matter, it would be best to allow my neighbour to be author of his own life, I would be acting on the basis of tolerance. Notice that on Raz's account, my intolerant inclination must be restrained not by my belief that my actions would be wrong in themselves, but because I believe that others ought to be permitted to continue in their own pursuits.

It is worth noting that the above does not distinguish between virtuous and vicious tolerance. On the above account, I could decide not to persecute school yard bullies because I want them to pursue their own conception of the good regardless of the consequences to others. This would be an act of tolerance, but it is surely not virtuous in the way that tolerance based on the belief that others should be left to pursue their own legitimate religious ends would be. The shape of virtuous tolerance is partially provided by Raz's formulation of the harm principle.

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[4] Joseph Raz, *The Ethics of Well-Being* (Oxford, Clarendon Press, 1994) p. 165.
[5] *The Morality of Freedom* p. 402.

The harm principle Raz develops claims that coercion is only justified when it is used to prevent harm. The claim here is that coercion is an invasion of autonomy, and must generally be avoided if the ideal is to be supported. There may be cases, however, where the harm to autonomy outweighs the harm caused by the coercive actions. A good example would be the enforcement of "trivial" moralities under law. It would not be reasonable to use the force of law to prevent people from harming others' sensibilities through rudeness or arrogance. While we may agree that people ought not be rude, it hardly follows that the coercive power of the state ought to be brought in to keep such actions in check.

Unlike some liberals, Raz does not distinguish between harm to the self and harm to others. Since the state recognizes the intrinsic value of autonomy in a modern liberal polity, Raz argues, there is no reason to believe that harm to my prospects is justifiable if I am the author of the harm but not when someone else is. The moral relevance of harm is unaffected by the issue of whether it is self inflicted or imposed on others under this view.

The final chapter looks beyond tolerance through four case studies. Tolerance is in a sense a morally minimal response to diversity; it is "the least we can do". But duties of well-being, informed by respect for autonomy, ask something more of us. First, self-respect is an important facet of well-being; and it is particularly vulnerable in pluralistic society. The ideal of recognition is motivated by the need for people to be able to live their lives in a way that permits them to walk with their heads high and say "accept me for what I am."

What is called for here is the recognition that, say, Jews are not merely a minority to be tolerated, but are individual people who cannot properly hold their places in society without being recognized for who and what they are. In this sense, recognition is something larger than forbearance in the face of diversity, it is an affirmation of individual worth that sees difference as both acceptable and valuable.

Related to recognition is the notion of multiculturalism. Multiculturalism is the recognition that individuals within liberal society bear differences combined with the recognition that these differences are often a matter of belonging to cultural or religious groups. Further, multiculturalism calls for a celebratory attitude to these differences. Whereas tolerance is a matter of saying "I will not interfere with your life in spite of my antagonism toward it," multiculturalism calls for "Your differences are not only acceptable, but they are a wonderful part of who you are. Good for you!" It is not hard to see that generally the celebratory attitude of multiculturalism is to be preferred to the more grudging attitude of tolerance in schools. In order for children to truly flourish in liberal society, it is desirable that they see themselves as valuable and important members of the multicultural community, rather than as outsiders, "permitted" to exist through the forbearance of others.

At first glance, this would seem to indicate that a commitment to multiculturalism also serves the purpose of commitments to recognition and tolerance. That this is not so can be seen by reconsidering value pluralism. Recall that value pluralism suggests that some tensions are inevitable

because not only are morally maximal lives incompatible, they may be antagonistic. That is, two lives may legitimately be pursued in spite of the fact that they are steadfastly in opposition to one another. Similarly, two cultural groups may be in conflict in such a way as to make it impossible—for the time being at least—for their members to legitimately celebrate their differences without sacrificing something essential to their own well-being. I will look at a case where a celebratory attitude toward homosexual lifestyle is at odds with a commitment to certain legitimate religious views. In such cases, the demands of celebration are simply too great; one could not simultaneously believe both that homosexual activity is a mortal sin and that it is to be celebrated in a pluralistic society. The most that can be asked for would be tolerance.

It is important to distinguish this situation with one of hatred or rejection of people because of their life plans or affiliations. The case alluded to above involves a situation where the objection is not of the legitimate citizenship of homosexuals, but is a disapproval of some aspects of their lives. This is clearly a different matter than tolerating belief or action that would suggest that homosexuals (or anyone else) are not to be granted the basic civil liberties of liberal society. It is one thing to say "I disapprove of what you do, but recognize that you are author of your own life" and quite another to say "You are despicable, and do not deserve health care benefits, or to live in my community, etc." The first case is one which is inevitable given the reality of value pluralism; if this were not so, there would be no

need of the virtue of tolerance because there would be no legitimate ill feelings to check. The second case is a rejection of value pluralism in that it unjustifiably denies that some of the incompatible lives are worth living. It fails to distinguish between a life with which one disapproves and one which cannot be justified—between, say, a life dedicated to an off-beat religion and a life dedicated to murder and torture. This is a distinction that liberal society must demand.

Most of the conclusions of this paper are uncontroversial. I claim that value pluralism is an unavoidable feature of liberal society, that tolerance is a civic virtue required in the face of value pluralism, and that the harm principle helps define the appropriate shape of tolerance. Further, I argue that human well-being in liberal society is promoted through a commitment to the recognition of individuals and a celebratory attitude toward group differences. This commitment cannot be universally demanded of all individuals; in many cases tolerance is the most that can be demanded. What is significant about this treatment is that it is a consequence of a commitment to perfectionism and the ideal of personal autonomy. These conclusions follow from the belief that there is no principled reason for the state not to act on conceptions of the good and that the good in liberal society is to be promoted through a commitment to the ideal of personal autonomy.

Chapter Two: Autonomy, Perfectionism and Value Pluralism

Autonomy

For Raz, autonomy is the central virtue for citizens in a liberal state. This autonomy is not a consequence of procedural justice or any other mechanism of the state; it is a good that must itself be actively encouraged within a liberal polity. Raz suggests a justification for the ideal that depends on enduring structural features of modern society.

> It is an ideal particularly suited to the conditions of the industrial age and its aftermath with their fast changing technologies and free movement of labour. They call for an ability to cope with changing technological, economic and social conditions, for an ability to adjust, to acquire new skills, to move from one subculture to another, to come to terms with new scientific and moral views. Its suitability for our conditions and the deep roots it has by now acquired in our culture contribute to a powerful case for this ideal. But it would be wrong to identify the ideal with the ability to cope with the shifting dunes of modern society. Autonomy is an ideal of self-creation. There were autonomous people in many past periods, whether or not they themselves or others around them thought of this as an ideal way of being.[1]

Raz is claiming that autonomy is an ideal that suits life in modern western liberal society. The autonomous agent is at least part author of her own life. The autonomous agent's well-being, then, must be bound up in the successful pursuit and attainment of self-chosen goals. This is not to say that all autonomy is necessarily good, nor is it a suggestion that more autonomy is better than less; these remain open questions. What is important is that the autonomous agent is an agent for whom at least some of the projects that

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[1] *The Morality of Freedom* pp. 369-370.

give purpose and structure to life are self-chosen and self-propelled. There is, of course, room in such a life for the guidance and compulsion of social, familial and other institutions, norms, etc. Autonomy, therefore, exists on a continuum; it admits of degrees. The perfectionist claim is that the state should be an active participant in the process of making autonomous life possible for citizens.

The autonomous life is not to be confused with a life with the capacity for autonomy. It can clearly be the case that someone could have the capacity for autonomy, but not exercise it. Choosing not to exercise autonomy seems, at first glance, to be an "indirect" exercise of autonomy; it is not necessarily so. Assume for the sake of illustration that membership in a certain military service involved the suspension of all independent choice. A soldier in such an army may make a single autonomous choice to join the service, but the following of orders becomes autonomous only in the most trivial sense. Obedience in such a case would by and large be obedience to a single commitment, not a series of individually autonomous choices. There are a number of things that could be said about such a soldier. The soldier could have the capability for autonomy but simply not exercise it. Perhaps the soldier, once entering the force, is *coerced* into decisions, making his actions heteronomous. Or perhaps the soldier is not restricted in such obvious ways but simply has neither the time nor the resources for autonomous action. The point is that there is a distinction to be made between the exercise of and the capacity for autonomy.

It is often assumed by liberal thinkers that since we as humans have the capacity to create and pursue various projects, our well-being is necessarily served by a free or deliberate choice of options. This is intuitively appealing in that we have a special interest in our own lives that we don't have in the lives of others. Also, we live in communities that serve our interests. We are not ants working for the single purpose of maintaining the life of the colony; our continuing commitment to our communities, states, etc. is at least partially motivated by the fact that our lives are enhanced and our futures secured to some degree through this relationship.[2] Thus, if we have this special interest in our own lives and we are capable of creating projects that will affect our futures, we will want to take control of both our present and future concerns. If we are not autonomous to the degree that we can take care of these concerns, then we greatly diminish our prospects for leading fulfilling, good lives. Obviously, this is just a sketch of some important ideas; a fuller development would detract from my main purposes here.

While all this is clearly true in some aspects of our lives, it is by no means universally true. It is not hard to imagine cases where having choices made for us is in our best interests: most of us do not wish to make choices regarding the proper surgical procedures to follow to save our lives, for example. The surrender of this authority may somewhat diminish my autonomy; it is by no means suggestive of a complete surrender. Raz gives

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[2] This is, of course, not the only interpretation available here; Hutterites, for example, would see the individual as serving the community rather than *vice versa*. My comments apply to

the provocative example of the relationship between parents and children. "It is a relationship people are committed to and care deeply about. But it is not one which most of them have ever confronted in their own minds as an object of choice."[3] This example is worth some consideration. My relationship with my three-year-old daughter is not one which I have confronted as an object of choice. Does it therefore follow that my ongoing commitment to the relationship will be such that my autonomy will be irrelevant? To be sure, this is not likely to be a relationship in which I consciously weigh competing alternatives—I am not forced to choose between maintaining a relationship with my daughter or beginning one with another child or having no such relationship at all—but I may still be autonomous in my maintenance of it. That is, autonomy may be evinced in the various relevant choices I make within this relationship: i.e. the type of parent I will be, the kind of person I will encourage my daughter to be, and the way in which the relationship weaves into the fabric of my life. All these manifestations of autonomy are completely consistent with never considering fatherhood to be an object of choice. The point is that autonomy transcends mere choice among competing options: there is more to well-being and to autonomy than merely choosing items from a *smorgasbord*. Finally, within the exercise of autonomy, relevant choices must be available; not only is it essential that there be sufficient choices for autonomy to be meaningful, it is also the case that there can be a point

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the liberal democratic ethos.

[3] *The Morality of Freedom p. 370.*

where more choices are not necessary for autonomous life to be fulfilled. What is required is an *adequate* range of options; this does not imply that any particular options are essential (in most cases) or that all options need to be available. I will return to this point later.

Raz's perfectionism takes the position that the ideal of personal autonomy is a *value* assumed in the Western liberal democratic tradition. Autonomy is chosen because it is seen to be a valuable ingredient of a good, flourishing life in a liberal state. Raz argues that the liberal state by definition must adopt the value of personal autonomy. Or, conversely, Raz maintains that personal autonomy is a good that may be valuable in any society that does not explicitly endorse it: other putatively liberal formulations that do not declare "up front" that autonomy is a good to be promoted and preserved by the state is in danger of forsaking it. This, according to Raz, is precisely what distinguishes the liberal from the illiberal state. If the state actively endorses policies that promote (or, in some cases, force) personal autonomy, then the political freedom Raz espouses becomes a necessary, but chosen, part of the fabric of any plausible conception of the good life within that state. The perfectionist state sees nothing wrong with policies that promote the good; Raz's system involves an active promotion of the good of autonomy.

There is a temptation to suggest that this value could not be chosen, even by social proxy, without some presupposition of autonomy. There are two immediate responses to this. First, I have already argued that *some* autonomy may be required because of the forward-looking nature of human

life; it does not follow that any particular quantity or quality of autonomy beyond some minimal level be required. Stanley Benn makes the plausible suggestion that the appropriate minimal condition be what he calls "autarchy". For Benn, an agent is autarchic if she satisfies "minimal conditions of both cognitive and practical rationality."[4] That is, autarchy is the basic condition of being a functioning human; the autarchic agent has the basic cognitive function demanded of autonomic capacity, above. The autonomous agent, on the other hand, transcends mere autarchy, moving toward a more ideal state of being.

> [A]utonomy is an ideal available only within a plural tradition, for it requires that two conditions be satisfied. In the first place, it requires that the subject's beliefs be coherent and consistent; secondly, their coherence must be the outcome of a continuing process of critical adjustment within a system of beliefs in which it is possible to appraise one sector by canons drawn from another.[5]

The project of *The Morality of Freedom* and of this paper is to suggest that the condition of a plural society which makes the possibility of autarchy's transcendence into autonomy is not one of simple availability, but is one of active encouragement: this is the liberal ideal.

A second important point is that the issue here is *personal* autonomy; the political autonomy of making structural or institutional decisions is quite another matter. A dictator, for example, can make decisions that are politically binding on those whose relative autonomy has no bearing on the

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[4] S. I. Benn, *A Theory of Freedom* (New York, Cambridge University Press, 1988) p. 154.
[5] *A Theory of Freedom*. p. 182.

matter. That the modern liberal democratic state espouses the value of personal autonomy does not imply that this value was independently chosen by the populace.

In order to have the capacity for autonomy, one must have a certain level of self-awareness. That is, the ideal of authenticity is a necessary condition for the ideal of autonomy. The authentic life is a life in which the agent is willing and able to exercise capacity for "situational" and "projective" self-concern.[6] What this suggests is that the capacity for autonomy is tied to the ability for and possibility of an honest and accurate appraisal of one's current situation in life, and of what it is that comprises one's projects; authenticity is a concern for what is *within* the individual, as opposed to the life that is driven from *without*. It should be clear that some awareness of the verities of one's situational and projective concerns are prerequisite for autonomic capacity. I will elaborate below.

Also, as Raz indicates "[a]utonomy is opposed to a life of coerced choices. It contrasts with a life of no choices, or of drifting through life without

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[6] I borrow these terms from David Cooper's *Authenticity and Learning: Nietzsche's Philosophy of Education* (Boston, Routledge & Kegan Paul, 1983). Situational concerns are concerns of one's current situation in life. Projective concerns are the concern of our projects, over how we project our futures. Cooper, following Nietzsche, argues for a radical reflective disposition that excavates the deepest sources of value within a life. I want to argue for no such value implicit in Raz's political philosophy; his work makes less strenuous demands on individuals. My claim here is that the individual, autonomous life is necessarily "authentic" in the sense that it is self-regarding, partially self-created and ultimately self-responsible. Charles Taylor, for example, would move from this starting point and come to the conclusion that authentic self-concern moves one closer to relationship with community and significant others. This indicates that there is room for significant disagreement in the final analysis of where self-concern ought to lead. But I maintain that there is good reason for adopting the ideal generally, because of its close relationship to autonomy.

ever exercising one's capacity to choose."[7] This point was illustrated with the soldier, above. Coerced choices or an absence of choices make autonomy impossible; an agent in such a situation hasn't even the capacity for autonomy.

The capacity for autonomy requires appropriate mental abilities and dispositions for appraisal and analysis of situational and projective concerns. Further to this, it is easy to see that autonomic capacity requires an adequate range of worthwhile options: choice is illusory if it is a choice of only a few, inadequate options. Notice also that not just any old options will suffice; in order for autonomous life to be possible, sufficient *significant* choices need to be available. That is, these choices need to be relevant to valuable situations and projects; the choice between hundreds of identical copies of *A Theory of Justice* is not a significant choice at all, nor is a choice between hundreds of different but unwanted titles. These significant choices, of course, are not merely economic in nature. Persons need the possibility for human interaction, marriage, family and social attachments, religious choice and so on. That is, people need legal and practical access to the relevant social goods that make life worthwhile.[8]

It does not follow from this that the state has an obligation to make *every* option of this sort available. It would not be reasonable to expect the

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[7] *The Morality of Freedom* p. 371.

[8] This sounds a bit like Rawls' notion of primary goods: those things which every rational person is assumed to want. This is largely my intent. Yet it appears to me that this is one place where Rawls' "neutralist" theory is, in fact, perfectionist.

state to establish and maintain, say, one of every imaginable type of church in every community. Still, the state interested in the promotion of the autonomy of its citizens does have some obligation to ensure that some adequate level of options be available. The exact nature and quantity of options supported by the state can be more clearly defined through political processes. Raz argues that

> governments ought to act for dependent reasons, that is, those which apply to their subjects anyway, and that their authority is limited by two main considerations. First, they should act only where their intervention is likely to lead to greater conformity with those reasons than is likely if they do not intervene. Second, they should not intervene where it is more important that their subjects should decide for themselves than that they should get the right results.[9]

By "dependent reasons" Raz means reasons that would be relevant to those citizens affected by the policy. Consider the case of a legislature desiring to build a park. On Raz's view, the only justifications for building the park would be those that would be made by the citizens themselves. These might include the desirability of a playground for children, or the benefits of green space for standard of living within a community and so on. Considerations having nothing to do with the reasons relevant to affected citizens are not permissible. The nature of political process and the justification of political authority is an important feature of Raz's work, but is of little consequence here. I raise the above point only in anticipation of

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[9] Joseph Raz,"Facing Up: A Reply" (*Southern California Law Review*, Vol. 62:1153, 1989) p. 1231. The quoted material is Raz's summary of the main argument of part one of *The Morality of Freedom*.

objections to the question of the legislative will and power to establish and maintain significant options for autonomous agents.

Another significant element of autonomic capacity is the absence of coercion. Clearly, coerced choices are not choices at all. Thus, the state needs to ensure that all citizens enjoy freedom from the coercion of others as well as from the state. But this cannot be unqualified; reasonable limits to this freedom from coercion will need to be circumscribed. For example, we do not want prospective muggers to be able to claim that prohibition from mugging others is a restriction of their autonomic capacity; their engaging in mugging necessarily involves serious restrictions of their victims. There is a clear need for some principled coercive activity from the state to limit such things. Here, liberals typically appeal to J.S. Mill's "harm principle", the principle that the use of coercion is only justified if it is used to prevent harm to others.[10] Raz develops a slightly stronger version of the harm principle than does Mill; Raz does not differentiate between the harm to self and the harm to others in the way that Mill does. I will consider Raz's conception and the relevant differences between these views in greater detail in chapter two.

I have given brief accounts of the features of autonomic capacity. Authenticity, however, requires a slightly fuller treatment. Authenticity is an educationally relevant ideal to the extent that meaningful life in our society is life guided by an "internalized" morality, a development of the self that

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[10] John Stuart Mill, *On Liberty* in *Utilitarianism, On Liberty and Considerations on Representative Government* (Toronto, Everyman's Library, 1983).

recognizes our ultimate responsibility for our own lives. This implies that the development of a meaningful, morally responsible self is key to the development of a meaningfully autonomous life. This is the key connection to Raz's political morality. Authenticity is central to the development of autonomic capacity. The ideal, however, is often misunderstood and presented in debased form. I will use David Cooper's critique of debased, self-indulgent forms of individualistic life that miss the point of authentic self-concern to show that Razian autonomy is free from such contagion. Authenticity will be revisited in the third chapter in a consideration of how our social and cultural lives are related on our understanding of ourselves as individuals with authentic self-concern.[11]

The first hurdle in getting to an account of what is meant by authenticity is getting over some plausible, but misguided, intuitions. At first glance, it is easy to see in the term the kind of notion inherent in expressions such as "find yourself", "get to know the real you" and so on. Cooper dubs this the "Polonian view". ("This thing above all else, to thine own self be true," Polonius urges Laertes in *Hamlet*.) The notion is tempting because it is so common; everyone has heard it at least once, and many of us have at one time or another belonged to a group dedicated to helping its members make the relevant discoveries. But does the concept have any non-trivial meaning?

The unwanted metaphysical assumption of the Polonian model is that there is a "true self" hidden somewhere from the self or selves of everyday

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[11] *Authenticity and Learning: Nietzsche's Philosophy of Education.*

experience; the problem lies in finding access from the everyday "false" self to the "true" one. Now, this is not to say that this is out of the question, but it is at best very odd.[12] A substantial problem with the Polonian model remains: how is one to determine which of these selves is the "true" one? The problem of multiple selves is not devastating to the position, but it is an unsettling consequence that does seem unwanted by its proponents.

But the problems are greater than mere metaphysical discomfort. The Polonian is going about searching for authenticity backwards. Authenticity is a concern for the relationship between oneself and one's beliefs and values. That is, I am trying to live authentically in order to establish those beliefs and values which will guide me in the living of my life. The Polonian is attempting to "find" the self through isolated introspection, as though the self were somehow isolated from the world it finds itself immersed in. As Cooper observes, it is not difficult to see why the jargon of the followers of gurus and proponents of "mind expanding" drugs is largely Polonian. Finally, once you think you have found the "real you" there seems to be little reason to pursue questions of the good life any more; you appear to have found the answers. Polonian talk can lead to a "comfortable evasion" of the issues it purports to address.

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[12] Goethe's Faust complains that "alas, there are two souls within my breast", prompting Hesse to comment in *Steppenwolf* that Faust's problem was not that he had too many souls within his breast, but too few. Admittedly, the point is more poetic than philosophical. Both writers seem to be referring to visible facets of a unified self, rather than a multiplicity of selves.

A second importantly mistaken model of authenticity Cooper dubs the "Dadaist". The Dadaist artistic movement was such that all members were required to constantly invent all things anew, without reference either to each other or to previous work. Music, for example, could not use known melody or harmony; the songs of Kurt Schwitters even went so far as to ban words and replace them with nonsense syllables. The analogue in misguided attempts at authentic concern would be the sort of life where one is forced to reject all of one's past and commitments in order to continually invent oneself afresh. There are no restraints for the Dadaist; existing structure in life is only data, equal in importance to any other data, such as today's weather and one's current mood. As Cooper notes, same main criticism of the Polonian model—that it avoids the question it attempts to answer—applies here as well. "If self-understanding is simply taking note of how one has been, of how one has been placed, how can it play any significant role in settling which beliefs and values to adopt? Indeed, nothing is supposed to settle this: information about oneself, like any other provides no more than a springboard for taking totally free, ungrounded 'leaps'".[13] More important, Dadaism pretends that meaning and value are created *ex nihilo*, that it is possible to create oneself from nothing. This is surely nonsense. Self-understanding comes through understanding oneself in the context of the world we find ourselves in, not through pretending it has no significance. We have language not for ourselves, but for and within a linguistic community for

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[13] *Authenticity and Learning*, p. 11.

whom language makes sense. We are able to make moral judgments, again not in isolation, but in the context of a moral community. We may disagree with others, but our judgment is only meaningful to us if it is intelligible to those with whom we share language, customs, etc. Charles Taylor nicely describes this as a "horizon of significance".[14] That is, things have significance only when placed against a backdrop, or horizon, of intelligibility. We cannot acquire the "languages" of self-definition on our own; we acquire them through exchanges with others.

The reason I have sketched these two common but erroneous models of authenticity is to show that the sort of autonomy Raz champions is immune from them. Raz insists that the step from the value of autonomy to the autonomy of finding value must be taken. For if autonomy is to be worthwhile in one's moral life, then it must have the possibility of being directed toward a number of morally valuable options. It is perhaps analytic that if autonomy is to be morally valuable, it must have the possibility of being directed toward moral choices and actions. This will prove a crucial point in later discussion. If autonomy is morally valuable precisely because it may be used for morally worthwhile projects, then it is morally valuable *only when* it is so used. (That it may be prudentially valuable even when not morally valuable is entirely another matter.) Autonomy directed at, say, the operation of a drug syndicate is not valuable autonomy. That is, autonomy has no moral status

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[14] See, for example, Charles Taylor, *The Malaise of Modernity* (Concord, Ont., Anansi Press, 1991).

independent of its object. This is an explicit rejection of the Dadaist account of authenticity. Raz strictly denies that autonomous choice has any value independent of the object of choice. For the Dadaist, it is the act of choosing that gives significance to life; as it was rejected above, Raz also firmly rejects this view. Notice also that Razian autonomy cannot slip into Polonian confusion. Raz acknowledges the social dimension of "horizons of significance", that the individual does not simply go rooting about her many interiorized selves to find the "true" one. His insistence that "...self creation must proceed, in part, through choice among an adequate range of options; that the agent must be aware of his options and of the meaning of his choices..."[15] is an insistence that self-creation and self-discovery are a function of publicly shared values, standards of judgment, etc. It would be unintelligible on this view to believe that any amount of isolated navel-gazing would lead to authentic life informed by publicly intelligible meaning.

I have so far developed Raz's main considerations in establishing autonomy as a value for the liberal state. His is not the only possible interpretation, however. Many liberals eschew perfectionism and yet maintain that autonomy is still to be considered valuable by the liberal state. The following section suggests that there is good reason to suspect such positions of smuggling perfectionist principles into their arguments while explicitly disavowing the necessary role that such principles play within the position. I suspect that there can be no general argument that shows that all

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[15] *The Morality of Freedom* pp. 389-390.

putative anti-perfectionist positions have perfectionist premisses. My task is, therefore, a bit more humble. I will contrast Raz's statement of the value of autonomy with that of a professed anti-perfectionist, Will Kymlicka.

Perfectionism and Anti-Perfectionism Contrasted

Perfectionism is the doctrine that it is the proper role of the state to promote certain visions of the good life for its citizens. Put this way, perfectionism conjures images of communist China or theocratic Iran imposing narrow, rigid world views upon their citizens. To be sure, these are examples of perfectionist principles in perfectionist states; but it would be an injustice to suggest that these are the only conceivable forms perfectionism can take. It is possible to imagine a more austere perfectionism, one that has a relatively "thinner" view of the good life for its citizens. "'Perfectionism' is merely a term used to indicate that there is no fundamental principled inhibition on governments acting for any valid moral reason...."[16] Western liberal democracies, according to Raz, are perfectionist in that they consciously view the autonomous life as valuable; they both do and ought to actively promote such lives for their citizens.

The position that liberalism entails a positive promotion of autonomy does not seem particularly controversial until placed against the currently popular anti-perfectionist alternatives. It is often held that questions of the constitution of the good life are not matters of interest for governments, that liberal democratic governments have a duty of non-interference in the

individual citizens' pursuit of such lives. If this is strictly true, then autonomy is not a matter of governmental concern or policy. Yet it is clear that the autonomy of citizens of a liberal democratic state is a desirable thing; one could hardly imagine such states existing at all without political and moral autarchy for their citizens. That it would be desirable for this autarchy to be transcended into the ideal of autonomy for at least some citizens is revealed by the recurring theme of freedom in liberal thought. As Benn points out, autarchy is compatible with "negative freedom", the freedom to live in the absence of restrictions imposed by others. "Positive freedom", the capacity and use of free choice and belief in the authorship of one's life, entails a commitment to autonomy.[17] The anti-perfectionist, then, is not likely to try to make a case for the dispensability of autonomy. The distinction the anti-perfectionist is drawing is between the recognition of the value of autonomy and the active promotion by the state of lives that are autonomous in their execution. That is, the anti-perfectionists claim that they can acknowledge that autonomy is a good thing without committing to the promotion of forms of life that are autonomous. I believe that this is mistaken.

Anti-perfectionist doctrines are motivated by the idea that people are at least autarchic agents. Further, they claim that citizens of liberal states have the opportunity to engage in forms of life that make the pursuit of positive freedom possible. Clearly Raz's perfectionist liberalism does not differ on this

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[16] "Facing Up: A Reply" p. 1230.
[17] For a fuller discussion, see chapters 7-9 of *A Theory of Freedom*.

point. The anti-perfectionist intuition pushes the point further, suggesting that since individuals are responsible for their own morality, it is not the state's business to set itself as a moral judge or guide, or to provide or foster certain conceptions of how good lives ought to be lived. Thus, through recognizing the *de facto* autonomic capacity of citizens and denying that the state has an interest in promoting its exercise, anti-perfectionist principles are promoted as plausible foundational principles to capture the essence of liberal democracy.

The two most common anti-perfectionist formulations are the so-called principles of *neutral concern* and the *exclusion of ideals*. As Raz notes, however, "...the distinction between neutrality and the exclusion of ideals is rarely drawn by the supporters of either...."[18] I will only consider the more popular doctrine of political neutrality; the arguments supplied herein apply to both neutralist and exclusionary anti-perfectionism. The doctrine of neutral political concern is currently favoured by a number of liberal luminaries, including Kymlicka, Dworkin and Rawls. The basic idea is that the state must be neutral in its dealings with its citizens. That is, the government is restrained in its dealings with individuals citizens in that it cannot regard the values and projects of one citizen as more intrinsically valuable than those of another. This neutrality between lives is tightly bound to a neutrality between ideals. The government is bound to ensure that the justification of its actions is such that it is not informed by a desire to help or hinder some ideals of the good to a greater or lesser degree than others, regardless of whether these

ideals are seen to be valuable or valueless. Another way of expressing this neutrality is that principles of right restrain action on the good. I will consider Will Kymlicka as an exemplar of the neutralist position. The following considers the significant similarities and differences from Raz's perfectionist liberalism and Kymlicka's anti-perfectionist liberalism.

Kymlicka stakes his claim thus:

> A distinctive feature of contemporary liberal theory is its emphasis on "neutrality"—the view that the state should not reward or penalize particular conceptions of the good life but, rather should provide a neutral framework within which different and potentially conflicting conceptions of the good can be pursued.[19]

This view is basically a call for a cultural marketplace, where differing ideals of the good are brought forward and are permitted to flourish or wither as their suitability is tested by individuals. This includes both autonomous and non-autonomous forms of life. Notice what Kymlicka has to say about autonomy, though. In the context of minority rights, he claims that "the most defensible liberal theory is based on the value of autonomy, and that any form of group rights that restricts the civil rights of group members is therefore inconsistent with the liberal principles of freedom and equality."[20] Is Kymlicka harbouring perfectionist aspirations here? Throughout his writings he claims to be a neutralist, but he consistently returns to the theme of the value of autonomy. In fact, for Kymlicka, multicultural policy must be

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[18] *The Morality of Freedom.* p. 108.
[19] Will Kymlicka, "Liberal Individualism and Liberal Neutrality" in *Ethics* (Vol. 99 No. 4, July, 1989) p. 883.

informed by the need for citizens to be able to reflect upon and revise their options so that they are free to leave or join groups within the multicultural polity. It is difficult to see how he can hold this view without admitting the principle of perfection.

Consider Kymlicka's view of the nature of liberal neutrality:

> The sense in which a liberal state is "neutral" with respect to competing conceptions of the good is a very specific one: the state does not justify its actions on the grounds that some ways of life are intrinsically more valuable than others. The *justification* of state policy, therefore, is neutral between rival conceptions of the good. This does not mean that the *consequences* of state policy are neutral, in the sense of equally helping or hindering each way of life. On the contrary, how well a way of life fares in a liberal society depends on its ability to gain or maintain sufficient adherents, and those that are unable to do so will wither away in a liberal society, while others flourish. A liberal state allows the non-neutral consequences of individual freedom of choice and association to occur. It does not, however, try to preempt this process by developing a public ranking of the intrinsic value of different ways of life, which it then uses to influence individuals' choices.[21]

What Kymlicka is claiming here is that the state can stand behind policies that prohibit the restriction of autonomy while remaining neutral with regard to questions of the good. It is not completely clear how he can have it both ways. Kymlicka recognizes that there is a tremendous tension in his view. It is unavoidable that a multicultural society will contain some illiberal groups, membership in which entails the denial of an autonomous lifestyle. Obvious examples might be the Amish in America and the Hutterites in

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[20] Will Kymlicka "Two Models of Pluralism and Tolerance", in *Toleration: An Elusive Virtue*, David Heyd, Ed. (Princeton, Princeton University Press, 1996) p. 95.

Canada. In such groups, it is believed that the full promotion of autonomy for citizens would result in a destruction of the community. Thus, both countries have made compromises that allow, for example, the children of the communities to be exempt from school attendance in the upper grades. On a naïve interpretation, it would appear that these compromises are an indication of a state commitment to neutrality: autonomy is not promoted as a general good for all citizens. But this is not really the case. What we have here is a compromise of liberal principles. Even Kymlicka agrees that autonomy is and ought to be generally promoted for citizens. The case of these sects indicates that there is a tension between "mainstream" liberal society and some segments of it. The state cannot enforce autonomy *tout court* without destroying one possibly satisfying form of life. Kymlicka would say that the compromise is in the spirit of neutrality. Raz, on the other hand offers a different analysis and comes up with a similar result. On groups that deny opportunities for autonomy to their members, Raz claims that

> people are justified in taking action to assimilate the minority group, at the cost of letting its culture die or at least be considerably changed by absorption. But that is easier said than done. Time and again I have emphasized that people can successfully enjoy an autonomous life only if they live in an environment which supports suitable social forms. By hypothesis members of the autonomy-rejecting group lack this support in their communities. Wrenching them out of their communities may well make it impossible for them to have any kind of normal rewarding life whatsoever because they have not built up any capacity for autonomy. Toleration is therefore the conclusion one must often reach. Gradual transformation of these minority communities is one thing, their precipitate

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[21] "Two Models of Pluralism and Tolerance" pp. 97-98. *Italics his.*

> disintegration is another. *So long as they are viable communities offering acceptable prospects to their members, including their young, they should be allowed to continue in their ways.*[22]

Raz, like Kymlicka, recognizes that there may be special cases where liberalism is forced into compromise. This is not a rejection of liberal ideals, but rather an affirmation of the inherent worth of individuals. That there are forms of life that are not distinctively liberal that may be worthy of tolerance within a liberal polity is a significant admission. Also note that Raz claims that liberal policy may be restrained by considerations of harm to citizens. To be sure there have been recent attempts to displace the liberal center of gravity away from individual autonomy toward group tolerance; I agree with Raz and Kymlicka that this is a mistake.[23] The liberal state must value individual autonomy as an ideal for citizens. That there may be cases where exceptions must be made does not imply that liberals must give up their commitment to autonomy in general. This state of affairs is awkward, but not fatal; it is reminiscent of Rawls' observation that "[a]ll ethical doctrines worth our consideration take consequences into account in judging rightness. One which did not would simply be irrational, crazy."[24]

The above has been an attempt to show that there is very little difference in the attitude toward autonomy between Raz's perfectionism and

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[22] *The Morality of Freedom*, p. 424. *Italics mine.*

[23] Kymlicka makes a strong case in *Multiculturalism and Citizenship: A Liberal Theory of Minority Rights* (Oxford, Clarendon Press, 1995). In short, he shows that the liberal tradition of tolerance is one of respecting *individual* freedom of conscience, not one of mutual non-interference of groups.

Kymlicka's anti-perfectionism. Kymlicka recognizes that as individuals, our beliefs and projects are fallible and open to revision. Thus we have an interest in being able to reflect upon and revise them if necessary; this is the "rational revisability" sense of autonomy. If liberal citizens are not taught this capacity for autonomy, then they will be unable to evaluate the worth of their lives and appropriately develop them.[25] This is not a claim that autonomous lives are more valuable than heteronomous ones, nor that the liberal state ought to actively promote autonomous life as an ideal; this position asserts nothing more than the fact that in order for citizens to live optimal lives in the liberal state, they must have the capacity for autonomy as part of their make-up. Neutralist liberals, therefore, can comfortably agree with Raz in promoting an education that stresses or develops autonomy in this sense. The state may continue to exclude ideals of the good life for its citizens while emphasizing the importance of developing the capacity for autonomy in its educational goals. That citizens may choose not to utilize this capacity would be, on this view, not a matter of concern for the liberal state.

And this is a significant point of departure of the two positions. Raz would argue that the liberal ethos is lost if autonomous lives are not actively promoted, that if the neutralist stops here the liberal state can slide into uncomfortably illiberal positions. Imagine a minority culture with institutionalized slavery. After certain children are born, they are deemed by

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[24] John Rawls, *A Theory of Justice* (Cambridge Massachusetts, The Belknap Press of Harvard University Press, 1971) p. 30.

group elders to be slaves for the rest of their lives. Even if slave members of this group agree that they are satisfied with their lives, can the neutralist simply allow this state of affairs to continue? Of course not. Kymlicka and other neutralists would object to this state of affairs for precisely one reason: it is a fundamental violation of the autonomy rights of individuals. Even if we are prepared, as Kymlicka and Raz agree, to tolerate a certain level of illiberalism in groups, both agree that there are important limits to this tolerance. Notice that the judgment comes down to an evaluation of the restriction of the autonomy of individuals. It is impossible, liberals must reckon, to surrender autonomy to the point of slavery and maintain any possibility of an acceptable form of life.

The above is provocative, but not conclusive. There are, perhaps, other ways of adjudicating the restriction of what are generally regarded as fundamental human rights. Yet it is hard to see that the liberal project can proceed without some positive commitment to individual autonomy. There may be fundamental compromises to be made. These are usually the result of historical contingencies, not of a general rejection of liberalism. But we must recognize that these compromises are not a result of some "deeper" principles of liberalism that transcend personal autonomy; they are compromises that are effected *in spite* of liberal commitment to autonomy. The liberal state may well find itself in the position of having to decide whether it is in the spirit of liberalism to cast aside valuable forms of life in

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[25] "Two Models of Pluralism and Tolerance" pp. 87-90.

favour of an "imperialism of autonomy" or whether it is more reasonable to stand back from the promotion of liberal autonomy to allow existing, meaningful forms to flourish in their own way. As will be argued in chapter two, the banning of non-autonomous forms would in most cases be an abuse of the state's powers of coercion; an important distinction must be made between the non-coercive promotion of autonomous forms of life and the coercive restriction of non-autonomous forms. That is, the harm of coercion is sometimes not counterbalanced by the harm of the promotion of non-autonomous forms.

I have defended Raz from anti-perfectionism in two ways. First, I have suggested that the anti-perfectionist must have a similar commitment to autonomy as Raz in most circumstances. Further, I suggested that there is good reason to believe that the anti-perfectionists have this similarity to Raz precisely because they are harbouring perfectionist principles that are not immediately obvious, but are present nonetheless.

A second plausible line of objection to Raz is in the question of the legislation of morality. Throughout *The Morality of Freedom*, Raz maintains that his principle of perfection is intended to promote morally valuable autonomy through the promotion of morally valuable options for autonomous citizens to partake.

> Since autonomy is valuable only if it is directed at the good it supplies no reason to provide, nor any reason to protect, worthless let alone bad options. To be sure autonomy itself is blind to the quality of options chosen....Since our concern for autonomy is a concern to enable people to have a good life it

> furnishes us with reasons to secure that autonomy which could be valuable. Providing, preserving or protecting bad options does not enable one to enjoy valuable autonomy.[26]

An obvious objection comes to light here. If Razian perfectionism can legislate the advancement of the good of autonomy and if that autonomy must be directed toward morally valuable options, why stop here? Why not legislate the rest of morality? If Raz can justify this much, why can his system not force a much wider span of morals legislation? Raz's answer is contingent on his development of the ideas of value pluralism and the harm principle. Value pluralism, explored in the next section, is the recognition that there are numerous incompatible and incommensurable good lives, that of the many good lives available, no ranking of their goodness is available. The harm principle, developed in chapter two, sets limits on the acceptable use of coercion within the liberal state. In short, the use of coercion is restricted to the prevention of harm. This establishes at least a quick gloss on how Raz would respond to the question of morals legislation: the state may promote certain forms of the good, but only through non-coercive means. Morals legislation, Raz argues, is coercive and is, therefore, unacceptable in a liberal state. Clearly, the argument will need to be developed in greater detail. But the detail cannot be supplied until chapter two.

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[26] *The Morality of Freedom*, pp. 411-412.

Value Pluralism

Raz dedicates considerable space to the idea that differing values and valuable lives may be strictly incommensurable—they cannot be meaningfully measured or ranked relative to one another. He illustrates the concept of incommensurability with a comparison of the class of all liberty-enhancing options and the class of all food-providing options.

> This simply means that it is not the case that whatever one's circumstances any food-providing option is better than any liberty-enhancing one, nor is the opposite true. At the same time it is not the case that, whatever the circumstances, any option of the one kind is of equal value to any option of the other kind. One would expect type incommensurability to be true of all or at least most natural types.[27]

Obviously lives of similar virtuous structure can be compared—A is more honest than B and so on—but it is not so clear how one could begin to rank, say, the virtues of honesty and compassion. The incommensurability is even more pronounced when considering lives; it is often meaningless to ask the question of whether A is living a better life than B.

Raz utilizes the notion of incommensurability to make the connection between autonomy and tolerance in what he calls "value pluralism," "the view that there are various forms and styles of life that exemplify different virtues and which are incompatible."[28] That is, incompatible forms cannot normally be exemplified in the same life. Although there are problems involved with clearly demarcating differing forms of life, it is still reasonable to assert that differing forms can and do exist; the lack of clear boundaries does not

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[27] *The Morality of Freedom* p. 323.

indicate that there is no difference from one life to the next. For example, one could not normally both lead a life of contemplation and a life of action; one could not, say, be both a cloistered monk and an inner-city social worker. Each of these engagements would require differing virtues in that the monk lives a life of solitude and spiritual reflection, while the social worker is required to be immersed in the verities of everyday existence. An attempt to do both would require failure to do at least one.

If we accept that there are differing forms, then we can see that differing forms can exhibit differing virtues. Also note that it is extremely unlikely that all virtues could be displayed in any single form. Raz defines a form as "maximal" if a person of that form "cannot improve it by acquiring additional virtues, nor by enhancing the degree to which he possesses any virtue, without sacrificing another virtue..."[29] If we accept as true that there is more than one maximal form of life, then we are committed to value pluralism.

An initial connection between autonomy and pluralism (and, later, tolerance) can now be seen. If autonomy is a value chosen in a society that promotes and supports it, then those who value autonomy are forced to choose among moral options too great for any one life. Thus, moral agents must recognize that forms of life other than their own are of value; there is reason for at least some minimal "negative tolerance" of them. The key to

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[28] *The Morality of Freedom* p. 395.
[29] *The Morality of Freedom* p. 396.

this idea is that there may be no way to choose between varying *maximal* conceptions of the good life.

These maximal forms are plausible only in the sense that they are, roughly speaking, Platonic. That is, individual lives are examples of that form but need not be perfect representations themselves. For there are few actual lives that could stand up to scrutiny as maximal; the ideal of "loyal spouse and parent" may be maximal, whereas flesh-and-blood loyal spouses and parents are likely to be imperfectly so. On the other hand, flesh-and-blood hit men do not even approximate anything we could endorse as a maximal form of life embodied in the ideal "hit man". If value pluralism is a necessary condition of social tolerance, hit men, *qua* hit men, cannot therefore be appropriate objects of tolerance.

Value pluralism is not, however, synonymous with tolerance. It is clearly related to tolerance, but it is by no means the entire story. Tolerance is not merely a matter of refraining from interfering in the lives of others who possess moral virtues that are not a part of my own form of life, it can also imply positive duties. What needs to be shown now is that the notion of value pluralism as a necessary feature of a polity that values autonomy implies the broader concept of tolerance. If this can be shown, then the next important step is to show what if any state-enforced policy is required to maintain it. Raz purports to derive a revised version of Mill's "harm principle" from his conceptions of autonomy and value pluralism. From the harm principle, a theory of tolerance will emerge.

First, note that the value pluralism above recognizes that there may be mutually incompatible or competitive maximal lives. This does not, in itself, support a robust tolerance. This is where the harm principle comes in. Mill's statement of the principle indicates that the only justifiable ground for interfering with the autonomy of citizens is the prevention of harm to others. Raz's autonomy-based freedom circumscribes a slightly wider version of the principle: here coercion is justified not only to prevent an agent's harm of others, but also to prevent harm to himself.

If we begin with the recognition that autonomy is a value to be cultivated in liberal society, it becomes clear that respect for autonomy requires that agents have the capacity, including acceptable options, available for that autonomy to be realized. Obviously, to deny options plausibly associated with maximal forms of life to the capably autonomous is to cause harm; just as denying the possibility for the development of autonomy is harmful. That is, these denials of opportunity restrict the acquisition and exercise of an important ingredient of the good life in society. "Roughly speaking, one harms another when one's action makes the other person worse off than he was, or is entitled to be, in a way which affects his future well-being."[30]

There are two important consequences to this development. First, the harm principle is derived from the state's acceptance of the principle that moral autonomy is a desired good for all members of the polity. Thus, the

state is bound to provide adequate conditions, including a range of acceptable options, for the exercise of autonomy. For mentally competent adult citizens, it follows that a certain level of services, standard of living, etc. be guaranteed. These may take the form of environmental laws, public health and safety, transportation, etc. That is, the acceptance of the value of autonomy does support at least some of the sort of state taxation and distribution of goods seen in modern liberal states. More important to this paper is the implication of positive duties toward children. Children, as future citizens of the state, must have the basic conditions of autonomy in place by the time they reach the age of majority. As Joel Feinberg has argued, the child's interest in autonomy is *anticipatory*; the child has a sort of "right-in-trust" of future autonomy.[31]

The second important implication of this view is that it requires that the government take an active role in the pursuit of morality. For if the autonomous life is only morally valuable if it pursues morally acceptable projects, then the agency promoting this autonomy (i.e., the state) is obliged to make morally acceptable options available. Note that this is an implication of positive duties for the state to make this sort of option available and to restrict the availability of morally repugnant ones. This is not to suggest that that these goals need or ought to be encouraged through the use of coercion. The harm principle is often interpreted as a statement of non-interference in

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[30] *The Morality of Freedom* p. 414.
[31] See "The Child's Right to an Open Future"

the lives of citizens; under this interpretation, it is rather a statement of the acceptable limits to the use of coercion. The patronage of certain morally acceptable activities, etc. need not be in any way coercive.

> Autonomy-based duties, in conformity with the harm principle, require the use of public power to promote the conditions of autonomy, to secure an adequate range of options for the population.....There are many possible options the provision of which can make the available options adequate....The harm principle is consistent with many perfectionist policies of the kind required by any moral theory which values autonomy highly. It does, however, exclude the use of coercion to discourage non-harmful opportunities.[32]

All this leads to the two conclusions that will drive the next sections of my work. First, we can create a robust tolerance from considerations of the value of personal autonomy. That is, our (and the state's) actions are limited by the harm principle. We are bound to tolerate actions that are plausibly described as actions commensurate with maximal forms of life. Also, we have a positive duty to provide and maintain the conditions under which autonomy may flourish, not only for ourselves but for others. It is a consequence of respect for autonomy that we have such duties.

The second key point is that autonomy is an essential good for citizens of the liberal state. Any education that attempts to initiate the young into membership in this liberal state is bound to develop the capacities for autonomy in students. Following this, graduating students will be able to combine these capacities with the opportunities that life in the liberal state

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[32] *The Morality of Freedom*, p. 418.

provides, enabling them to enter maximal forms of life. The future autonomy of children, then, becomes a primary concern of education.

The above is intended to introduce the issues of tolerance and the harm principle. They will both be developed in much greater detail in chapter two. I bring them forward now to show the general shape of the arguments presented herein.

Chapter Three: Tolerance and the Harm Principle

In the previous chapter, I highlighted some of the main issues that will inform this and the following chapter. First, I attempted to motivate a perfectionist approach to the question of tolerance in education. Second, I differentiated the life of autonomy from a life with the *capacity* for autonomy. Central to the notion of autonomic capacity is the notion of *authenticity*. An authentic life is, in some important ways, a life in which the agent is willing and able to accurately and honestly assess her situational and projective concerns. Also key to the capacity for autonomy is the presence of an adequate range of options and freedom from unwarranted obstacles to engagement with them. Finally, I developed the notion of value pluralism—the idea that there is more than one maximal form of moral life; the incommensurability of these forms implies that a rank ordering of their worth is impossible.

Tolerance

Note that value pluralism suggests that pluralistic moralities may be competitive. This can be seen by considering our normal notion of tolerance. Tolerance is typically seen as a deliberate choice not to interfere with conduct which is disapproved. Raz correctly argues that this is only part of what is normally meant by the term. Often our tolerance is not a matter of restraining our disapproval but is rather the "overlooking" of someone's limitations, or manner of annoying us and so on. In these cases what is being tolerated is

not something intrinsically bad but the absence of certain features, traits, accomplishments, etc. I may be called upon to tolerate the annoying traits of a chair who is very efficient at running meetings. The features that make such a person successful are the very features that make him annoying. Yet we see that such features are not a lack in that person; our differences are simple reflections of the reality of competitive forms of life within a pluralistic polity. And I would probably be in need of tolerance from him as well.

This leads Raz to the following definition:

> Toleration...is the curbing of an activity likely to be unwelcome to its recipient or of an inclination so to act which is in itself morally valuable and which is based on a dislike or an antagonism towards that person or a feature of his life, reflecting a judgment that these represent limitations or deficiencies in him, in order to let that person have his way or in order for him to gain or keep some advantage.[1]

This four-part description of tolerance requires some explication. First, it states that a behavior can only be restrained by tolerance if it is unwelcome or normally seen as unwelcome. Second, my restraint is only tolerant if I am tempted not to exercise it. I am not tempted to arbitrarily break my neighbor's windows; I am not exercising the virtue of tolerance by not engaging in unwelcome behavior that I am not tempted by. Third, that temptation is based on some distaste or antagonism toward its object. Suppose I were tempted to break my neighbor's windows. If the source of my temptation were a fascination with the sound of broken glass, my refraining from throwing bricks would not be an act of tolerance. If, however, my neighbor

did or was something that I thought (rightly or wrongly) provoked my desire to harm his property, then my restraint may indeed be an act of tolerance (rightly or wrongly). Raz's fourth criterion is somewhat more contentious. He claims that the putative intolerant inclination must, in the eyes of the agent experiencing it, be seen to be intrinsically worthwhile or desirable. That is, if I feel that I would be making an appropriate expression of an appropriate disapproval of my neighbor's actions by breaking his windows but do not do so because I believe that I have some duty of forbearance in the situation, then I am being tolerant in the morally appropriate sense. Other motivations, such as fear of punishment, do not qualify such restraint as tolerant. Suppose as in the example above, I desire to break my neighbour's window because of my abhorrence with a feature of his life. But in this case, suppose I realize that such an act would be an unreasonable and morally indefensible expression of my abhorrence and I decide not to break the window after all. Is this a case of tolerance? On first glance it appears to be, but Raz would have to contend that it is not. For it is not tolerance that stays my hand, he would say, it is my recognition that my own actions are wrong; I am moved by an appeal to some virtue other than tolerance. And by definition, if I do not believe that my action (i.e. breaking the window) is morally valuable, then it cannot be curbed by tolerance. It seems that Raz has mistakenly put tolerance "outside" moral rightness; he claims that it somehow overrides what is morally right. Surely Raz has overstated his case on this point: tolerance is

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[1] *The Morality of Freedom*, p. 402

a virtue like any other; it supplies reasons by declaring that certain actions are right or wrong. In the case above, tolerance is not required in spite of the moral justification of breaking my neighbour's windows; it *provides* moral justification for not breaking them regardless of my other considerations. That is, one can only be tolerant if one is tempted not to be; this is clearly different from the claim that one can only be tolerant if one has good moral reason not to be.

This characterization of the virtue of tolerance depends on a level of moral self-awareness; this is a general feature of virtue and will be further developed in chapter three. That is, one cannot be tolerant without being at least somewhat aware that one is being tolerant. The important issue here, then, is the question of the appropriate motivation for tolerance. There must be some overriding concerns that prevent intolerant action from surfacing. Here I appeal to the primacy given to autonomy. My response to another is intolerant if it causes harm to her exercise of valid moral autonomy within the pluralistic society sketched above. I will return to this point.

Notice that competitive pluralism "generates" inclinations toward intolerance; that is, it generates a virtuously motivated disapproval of incompatible virtues which, without the restraining virtue of tolerance, would occasion intolerance. There are virtues the possession of which can lead to a tendency not to suffer other, equally valid, virtues in others. There are therefore two important links from the principle of value pluralism to the virtue of tolerance. Value pluralism recognizes that there are many distinct and

possibly incompatible moral virtues within morally valuable lives; it also recognizes certain virtues which may, in themselves, provoke intolerance toward others who possess incompatible, but equally valid or valuable virtues. Notice also that such intolerant inclinations are not wrong in themselves, but can be wrong in their expression. That is, there must be some inevitability that certain feelings of intolerance will surface; otherwise there would be no need for the virtue of tolerance. What is called for is the recognition that certain expressions of intolerance are not compatible with respect for the autonomy of others. This view recognizes that there will be real moral conflicts within a polity which recognizes the importance of autonomous individual lives.

It is worthwhile to trace the main thrust of the argument so far. I have asserted that autonomy is a good to be promoted in liberal society. If the capacity for autonomy is to be realized by citizens, then the conditions for autonomy need to be in place. Included in the conditions of autonomy is the availability of an adequate range of options for the living of a moral life. The existence of a diverse range of options for autonomous moral lives implies the principle of value pluralism, the recognition that there are numerous incommensurable autonomous lives of moral worth. Value pluralism is seen to be a contributor to intolerance. This intolerance is directly in opposition to value pluralism itself and thus is an obstacle to the realization of autonomy.

There are still some gaps in the account. Tolerance is seen here to be useful in that it is consistent with the value pluralism that is a consequence of

the adoption of the perfectionist principle of individual autonomy. Further, it is required to ease the conflicts that naturally arise in the tensions inherent in the plurality of incompatible and sometimes antagonistic morally maximal forms of life. Now what needs to be shown is how a conception of tolerance based on the values of autonomy and value pluralism would enable us to determine when tolerance is virtuous and when it is not. In the following sections I will show that a version of the "harm principle" is a consequence of Raz's perfectionism. This harm principle will show the limits of coercive action within the liberal state and will point to the basic shape of the tolerance that such a state requires.

The Harm Principle

I will begin with a brief summary of what is normally entailed by the so-called harm principle.

J. S. Mill's classic defense of the virtue of tolerance is *On Liberty*. Writing more than a century and a half later than Locke, Mill was reflecting on a radically different political climate than the one that shaped Locke's celebrated "Letter Concerning Toleration" of 1689. In addition to not experiencing the widespread religious hatred of the seventeenth century, Mill was also in the position of having considerably "thinner" religious convictions than most writers on the nature of tolerance from the previous century.

Mill's *On Liberty* is a defense of

> one very simple principle,...that the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant....The only part of the conduct of any one, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign.[2]

It is easy to paraphrase Mill's claim: individuals are autarchic, and may do and say pretty much as they please with regard to themselves. The only coercive restraints we can put on their actions are those that prevent them from harming others. Two important difficulties arise from this observation: it is not at all clear what is to count as harm; and it is not a simple matter to differentiate between self-regarding and other-regarding actions.

Mill argues for an almost unlimited freedom of expression. "If all mankind minus one were of one opinion, and only one person were of contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind."[3] There are two paths from the "harm principle" to this conclusion. The first is the principle of non-interference. Mill has already stated that there is no warrant for coercively interfering with others unless it is to prevent harm. Thus, interference with free speech must only occur when that speech is clearly going to harm someone. We have, for example, a prohibition against

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[2] *On Liberty*, pp. 72-73.
[3] *On Liberty* p. 79.

giving false fire alarms because there is a considerable likelihood of harm coming from them. That opinions or speeches be false or pernicious has not normally been considered sufficient justification for their censorship. Mill argues that we cannot be infallible, and must therefore allow the free and open exchange of ideas between people, since we can never be completely sure that we have censored only the incorrect ideas.[4]

The second tack Mill takes is to consider the intellectual consequences of censorship. Since we are rarely, if ever, sure of the truth of our opinions, we are as likely to be harming people through censorship as not; more to the point, censorship is necessarily inimical to the processes by which truth is sought. That is, if truth is a valuable thing, then censorship by fallible judges is quite likely to be harmful in that it is in some cases the suppression of truth, and in all cases it is the suppression of the dynamic processes of discussion, argumentation, and so on that help establish truth. So, even if we reject the fallibility argument above, Mill claims that censorship—even of false ideas—is harmful because it undermines the processes that give effect to our commitment to the truth. Moreover, if truth is protected by law, Mill claims, it slips into dogma and loses its motivating power.[5]

Mill does draw a distinction between freedom of thought and freedom of action.

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[4] *On Liberty* chapter 2.
[5] *Ibid.*

> No one pretends that actions should be as free as opinions. On the contrary, even opinions lose their immunity when the circumstances in which they are expressed are such as to constitute their expression a positive instigation to some mischievous act. An opinion that corn-dealers are starvers of the poor, or that private property is robbery, ought to be unmolested when simply circulated through the press, but may justly incur punishment when delivered orally to an excited mob assembled before the house of a corn-dealer, or when handed about among the same mob in the form of a placard. Acts, of whatever kind, which, without justifiable cause, do harm to others, may be, and in the more important cases absolutely require to be, controlled by the unfavourable sentiments, and, when needful, by the active interference of mankind.[6]

Mill seems to be making the assumption that free speech is usually much more innocuous than free actions. But he is willing to concede that there are cases where speech is likely to cause harm and that these occasions do justify state coercion.

This leaves more questions than answers. For example, consider the claim that pornography leads to harm to women. If this were incontestably true then it would be sufficient grounds for censoring pornography. But, Mill has suggested that such claims cannot be infallible; therefore the claim needs to be open for discussion. How are we able to determine if the claim is "true enough" for public policy to take effect? Further, how can we be certain that a certain piece of pornography is harmful in this way? These are not unaddressable problems, but they do indicate the appropriate shape of discussion on the matter.

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[6] *On Liberty* p. 114.

A second difficulty is the question of harm. Without pursuing the argument in detail, I would suggest that it is not a simple matter to determine what qualifies as harm. There are clear cases, such as inciting an angry mob; but most instances of harm by speech are not so clear. Consider hate speech. Who exactly is being harmed by, say, holocaust denial? There are a number of people who claim direct hurt from such materials, but their claims are by no means universally persuasive. There is a case to be made that the sort of hurt provided by such materials is insignificant relative to the harm caused by its censorship. One would be hard pressed to find many books that do not offend ("harm") *someone*. This is not to beg the question against those who would like to see such material outlawed; I am merely trying to show that the case is far from clear. The *Satanic Verses* controversy is a case in point. Is the psychological harm done to Muslims and the Muslim community sufficient for the banning of the novel? It may be that these are, in principle, resolvable questions. If so, it is likely that such resolution would require at least some very substantial common values within society.[7] Agreement would be required on both the applicability and interpretation of the harm principle and the nature of the relationship between religious

[7] John Horton, in "Toleration, morality and harm" " in *Aspects of Toleration* (New York, Methuen, 1985) suggests that the very situations where harm is claimed to occur are the situations in which there is most likely serious moral disagreement. The case of *The Satanic Verses* would require both agreement on the appropriateness of the harm principle and agreement that offense to religious sensibilities does or does not constitute harm. Horton is quite right to suggest that this poses a tremendous problem for legislators: the fact that disagreement exists both informs and restricts discussion of the issue.

offense and harm. Again, it may be that this is a practical, not a theoretical problem in terms of the resolution of conflicting claims of harm.[8]

Mill would not include offense to one's moral sensibilities as harm, but this view is not a matter of universal agreement. Raz, nonetheless, does agree with Mill on this point: "[a]utonomy-based considerations do not allow extending the scope of the harm principle beyond its proper scope to legitimize the use of coercion to prevent offence."[9] He does, however, admit that "serious and persistent offence may well reduce a person's opportunities."[10] It is unlikely that Mill can come to the conclusion that offense is not harmful except through some tacit perfectionist principles. That is, he needs to have some conception of the good that indicates that some acts are harmful while offense is not. This may be because the moral distress of offense is surely an important part of the process by which our powers of autonomous deliberation grow.[11] Mill might argue that, say, the distress caused to Muslims by *The Satanic Verses* serves to force them to come to grips with the questions the book answers. This, in turn, should lead to a deeper understanding of the nature of their faith and their relationship to it.[12]

A further difficulty with Mill is the problem of self- and other-regarding actions. Mill suggests that there is a clear distinction between actions that

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[8] Mill was working implicitly with a conception of harm that did not acknowledge the pain occasioned by offense to moral sensibilities as "harm".
[9] *The Morality of Freedom*, p. 421.
[10] *The Morality of Freedom*. p. 413.
[11] See Jeremy Waldron, *Liberal Rights: Collected Papers 1981-1991* (Cambridge, Cambridge University Press, 1993).
[12] *Supra* note 4.

affect only ourselves and actions that affect others.[13] This "atomic" notion of human life is much more difficult to defend today than it was 140 years ago. Consider a superficially simple example such as smoking. Smoking in public buildings is considered improper because it adversely affects other people who choose not to smoke. Smoking in the privacy of your home, then, would seem to be an acceptable expression of an individual's sovereignty over herself. But what of the potential health-related problems due to smoking? In a country with socialized health care, that person's willingness to subject herself to the risks of cancer and emphysema places a financial burden on the rest of society; should we then outlaw smoking altogether? The same situation applies to seat belts and motorcycle helmets. We, as a state, seem to be taking actions to protect people from themselves. Mill might defend some of this legislation as follows. Coercion is politically justified, on this view, to prevent harm to others; harm to the self is politically irrelevant. But when both conditions hold together (as they surely do in the case of safety legislation), then the irrelevance of the second condition gives us no reason not to act on the first. If the first condition does not hold, however, the second can have no political force under Mill's conception of harm.

In a more general way, it isn't clear that there is much that we actually do that does not affect others. We are social animals; most of what we do

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[13] *Supra* note 2. Mill opens *On Liberty* with a robust claim to this effect. By the end of the final chapter, however, he softens his position somewhat, recognizing that the distinction between self- and other-regarding actions is a more porous than his initial characterization would suggest.

involves other people. It is likely that Mill's distinction between self-regarding and other-regarding actions is not so simple as it at first appears. In schools, for example, the teacher seems to have few actions that are entirely self-regarding. Students' actions, similarly, are rarely entirely self-regarding. How can we possibly adjudicate in such matters? These will become important questions in chapter three. But a Razian critique of Mill would go even further that this. Regardless of whether we can distinguish crisply between self-regarding and other-regarding conduct, Raz would surely say that we have no reason to regard self-inflicted harm as less bad than harm inflicted on others. Mill certainly provides no such reason—self-inflicted harm is not inherently less damaging to autonomy or the individuality that Mill prized so highly than is harm inflicted on others.

I have outlined some key features of and difficulties with Mill's conception of harm and the harm principle; these give good support for the alternative suggested by Raz. First, Mill's conception of harm tacitly appeals to the ideal of autonomous development and the experiences necessary for its realization. Second, Mill's interpretation of the harm principle hinges on a murky distinction between self-regarding and other-regarding conduct. Third, Mill gives us no reason to regard self-inflicted harm as inherently more bad than harm inflicted on others. Furthermore, it is difficult to see how such an idea could be developed within Mill's utilitarian framework. This prompts Raz's formulation of "the somewhat wider principle [than Mill's] which regards the prevention of harm to anyone (himself included) as the only justifiable

ground for coercive interference with a person."[14] Raz makes explicit what Mill's argument purports to exclude—the intrinsic value of autonomy in a liberal conception of harm. Further, the Razian formulation does not require the murky distinction between self- and other-regarding actions. Finally, Raz does not make Mill's arbitrary assumption that self-inflicted harm is less bad than other-inflicted harm.

Raz makes the move from autonomy to the harm principle. If we recognize that the (possible) autonomy of all citizens is to be respected, this implies some positive duties. Most obviously, without the capacity for autonomy, its exercise is impossible. This implies two important duties for the state. First citizens need to be provided with an adequate range of options to be exercised within the framework of an autonomous life. Second, there is an educational imperative that children develop the appropriate skills and dispositions that make an autonomous life possible; I will develop this idea in greater detail in chapter three. Depriving citizens of either of these is to diminish their prospects, to cause them harm.

It needs to be clear that Raz is not referring to just any diminution of prospects here. Recall that autonomy only has value in the pursuit of morally valuable options. The harm principle cannot be invoked indiscriminately; the use of coercion to prevent someone from, say, selling heroin on the playground is fully justified because it prevents harm and cannot be overturned because it restricts the prospects of potential dealers in any

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[14] *The Morality of Freedom* pp. 412-413.

morally significant way. Keep in mind that on this view, it is the proper role of the government to make morally valuable lives possible and that value pluralism implies that numerous incompatible yet valuable forms of life may simultaneously exist; the harm principle prevents coercive actions from being employed to promote one valid form over another, either positively or negatively. It is here that Raz's extension of the principle to include self-inflicted harm makes sense. I am free to reasonably change life plans in ways that are plausibly construed as leading to morally maximal forms. I may be mistaken and take wrong paths, but generally speaking, that is not a problem. If, however, I adopt a wicked or debased form of life, coercion may be used to restrict me. This may seem harsh by normal liberal standards, but as was argued in chapter one and above, there are severe limitations on the sort of restrictions the state may place on citizens, both theoretical and practical in nature. The important point here is that I cannot defend the adoption of morally repugnant life plans by an appeal to autonomy. Many liberals would want to claim that fact that the plans are *mine* is sufficient to justify non-interference. This is often the case, but not always. For autonomy is not valuable *qua* autonomy; it is only morally valuable if used in the pursuit of morally valuable options. The claim that a plan is made autonomously is not enough to endow it with moral justification.

My main concern in this chapter is to justify the link from autonomy to the harm principle. Raz explains it thus:

> Depriving a person of opportunities or of the ability to use them is a way of causing him harm. Both the use-value and the exchange-value of property represent opportunities for their owner. Any harm to a person by denying him the use of the value of his property is a harm to him precisely because it diminishes his opportunities. Similarly injury to the person reduces his ability to act in ways which he may desire. Needless to say a harm to a person may consist not in depriving him of options but in frustrating his pursuit of the projects and relationships he has set upon.[15]

Notice that on this account, harm consists only of actions which adversely affect options or projects. Simple annoyance or insult, then, do not count as harm unless their effect is so powerful as to diminish future prospects. This is only compelling to those who agree to the moral value of autonomy, whether they do so on perfectionist goals or not. If autonomy is a central consideration in the development of liberal society, it is analytic that that which prevents its exercise is harmful, give the values of such a society.

I have suggested that the harm principle is derivable from a public morality that considers autonomy to be an essential feature of the good life and that this implies duties to secure the conditions of autonomy for citizens. Recall that the harm principle is a statement of the appropriate use of coercion; it sets limits not on the interference in the lives of others but on the justification of the use of coercion against them. So our derivation requires that autonomy-based duties cannot justify coercion where there is no harm. Notice also that regardless of the moral theory invoked, it must be acknowledged that "causing harm" is morally wrong. The notion of "harm" is

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[15] *The Morality of Freedom*. p. 413.

such that it is an impediment to a good life; one cannot harm another by making no difference to his life, nor can one harm him by making his life better. If our public morality is derivable from a respect for individual autonomy, then harm is that which prevents its acquisition and exercise.

This brings forward the government's duty toward citizens. The government is obliged to ensure that the conditions for autonomy obtain for all citizens. There is both a positive and negative aspect to this duty. First, those who do not have access to the conditions of autonomy have a right to them. This implies a number of possible social policies we see in liberal society. We have a physical and economic infrastructure that permits all citizens to participate in day-to-day and economic life in our society. The negative duty is to prevent unreasonable loss of these conditions. For example, one of the conditions for autonomy is an adequate range of options. It is not essential that any particular option be available, only that a satisfactory range exist. The government has no obligation to make it possible for me to be a professional basketball player; it only need provide me with some adequate range for me to choose from. The denial of an adequate range, of course, is harmful.

We can now see that if the government has a duty to promote the autonomy of citizens, it needs to have the power to do so. This legitimizes (but does not specify the extent of) such schemes as public taxation, public works projects, regulation of product quality and the like. It also illustrates the need for coercive powers through civil and criminal law. For if the

government is protecting my autonomy, it needs to assist in protecting it from other citizens as well as itself. The coercive actions of the state such as the imposition of fines, community service, jail terms and so on are justified insofar as they protect the autonomy of citizens. It is reasonable, on this account, to remove a "dangerous offender" from society based not solely on what he has done but also for what he is and threatens to do.

If we accept the harm principle as it stands, we can see its connection to tolerance. The fact that the harm principle poses numerous difficult questions is not reason to reject it. For our purposes, we need only consider the harm principle as it applies to the exercise of autonomy. If we accept that autonomy is a good which the liberal state ought to promote for its citizens, then actions which are in opposition to the acquisition or practice of personal and political autonomy are contraindicated. At the very least, such actions would require substantial justification. It is tempting at this point to suggest that the harm principle shows why intolerance is wrong, i.e. that intolerance is harmful or coercive and ought to be curtailed. This would be a mistake. Tolerant or intolerant actions are identified by their ground and their object, not by the means by which they are manifested. To be sure, intolerance can be coercive or harmful, but it is not necessarily the case. What the harm principle does, however, is set principled limits for toleration: the intolerable is that which is harmful; and the values of autonomy and value pluralism guide us in identifying what is harmful. Thus I may appropriately tolerate someone's coarse and arrogant manner over the chessboard, but

appropriately refuse to tolerate the beating of children in schools. The former is annoying but not harmful, while the second is clearly harmful. The point is that in most cases, the liberal state requires that each individual citizen is morally entitled to the pursuit and practice of autonomy and that interference with that entitlement is positive harm to that citizen.

Now we can deal with the objection that Raz's vision of the harm principle neglects Mill's distinction between self- and other-regarding actions. This, I would reply, is one of its greatest virtues. As mentioned above, it is not clear that very much that we do is entirely self-regarding. Raz's perfectionism is not an attempt to reformulate Mill; rather, it happens to find much common ground with him. Raz says little about his reasons for "extending" the harm principle to include "self-regarding" actions, so I will infer the sort of argument he might make. By definition, the harm principle dictates the appropriate occasions for the exercise of autonomy. That is, the state (or individuals) may only use coercion to prevent harm. Recall that coercion is, also by definition, harmful. So we have a case where harm is justified by its prevention of (further) harm. Clearly, we need to be careful that the cure is not more pernicious than the disease. Punishments cannot be excessive relative to the crime, nor can prevention be such that it unreasonably coerces people into compliance. This is particularly the case for self-inflicted harm. In many cases, the harm caused to the self is insignificant relative to any coercive measures imposed from without. Thus, the state's powers to restrict individual self-harm must be restrained by considerations of excess. That is,

the harm or risk of harm to the self must be substantial to justify outside coercion. The harm principle must be invoked conservatively in these cases.

Finally, as John Horton[16] and others have argued, it is rarely unambiguous as to what counts as harm. Is Dr. Kevorkian helping people or harming them? We need not even go to such extreme cases to illustrate this problem. Horton attempts to

> ...undermine in a general way the view that what is considered harmful is largely independent of or shared by competing moral perspectives....For what is regarded as harmful is itself in part constituted by particular moral conceptions; consequently the concept of harm is largely a blunt instrument for resolving the practical question of whether some activity should be tolerated where the oral quality of that activity is a matter of a dispute. The view that such a question can be resolved by putting to one side the moral differences which divide the parties to such a dispute and focusing on the question of whether the activity is harmful, as if the moral differences and conceptions of harm had no connection, reveals a deep misunderstanding of the concept of harm.[17]

In short, Horton is arguing that whatever it is that harm is considered to be, its character is dependent on some moral system. That is, if I believe something to be harmful to me (or others), it is because of some conception of the good that I hold. This poses difficulties if someone else holds a competitive view of the good. For how is the state to adjudicate a claim of harm when the parties involved do not have a common understanding of what is meant by harm?

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[16] *Supra.* Note 6.
[17] "Toleration, Morality and Harm" p. 130.

Frankly, it is hard to see that this is a difficult objection at all. First, Horton is arguing that the neutralist cannot take sides on questions of what entails the good life. I could simply part company with Horton at this point and call it a day. The perfectionist believes that there is a core foundation of public morality: the autonomous life. We are not required to be neutral with regard to autonomy. For our purposes, harm is that which is inimical to autonomy. Thus, even if I believe that, say, playing my music at 110 decibels at midnight is part of my conception of the good life, my neighbours can readily claim that their projects are being unreasonably hindered by their lack of sleep. But this is only a partial response. It is conceivable that there are real practical difficulties in many adjudications of this type. What can we say then?

My response here is a response also available to the neutralist. While Horton may be right in asserting that there is substantial disagreement even over apparently simple cases of putative harm, we are still able to discuss these issues intelligibly. If this were not the case, Horton's paper would be gibberish. He is able to show that competing claims exist in a way that makes the moral considerations of all parties understandable and attractive to sympathy. Consider again Dr. Kevorkian. One would have to be a moral brute not to see that there is a real case to be made by one's opponents either for or against doctor assisted suicide. There are today and likely always will be cases where there is substantial disagreement over matters of harm. It hardly follows that judgments cannot be made on those issues we

are fairly sure of; surely we can make tentative judgments to the best of our wisdom in the more contentious cases. This is what our legislative and judicial systems are doing all the time. Horton ends his essay rhetorically: "Are we to believe that the real and deep moral differences that divide humanity will not be reflected in different conceptions of what is harmful? If this is what the liberal believes then liberalism is in bad trouble."[18] Of course this is not what liberalism implies. While it can be acknowledged that the concept of harm is one which is itself in constant debate and revision, it hardly follows that it is not a meaningful and worthwhile concept in moral discourse. Nor does it follow that judgment must be suspended on the issue.

Finally, it is worth noting that while the harm principle circumscribes a range of activity in which coercion *may* be permissible, it does not provide a decisive criterion. This is because coercion is itself harmful, as discussed above. There may be cases where the harm of state coercion is greater than the harm it is trying to suppress. Consider the vice of lying to one's friends. Such lying is harmful, but is not necessarily disastrously so. Laws that invade personal lives to the point of restricting the possibility of relatively trivial lying between friends represent a tremendous invasion of personal autonomy. Clearly, Raz is not arguing for such a "big brother" approach to use of the harm principle. Legislators must, then, be required to balance the harm of coercion with the harm that it is to putatively prevent or redress. Raz summarizes the point thus:

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[18] "Toleration, Morality and Harm" pp. 132-133.

> This vindication of the [harm] principle goes hand in hand with its demotion. It is not to be seen as the whole but merely as a part of a doctrine of freedom, the core of which is the promotion of the conditions of autonomy. The harm principle is but one aspect of this enterprise. Manipulating people, for example, interferes with their autonomy, and does so in much the same way and to the same degree, as coercing them. Resort to manipulation should be subject to the same conditions as resort to coercion. Both can be justified only to prevent harm. Thus while the harm principle is of lasting value, over-concentration on it neglects the other aspects of the doctrine of freedom.[19]

Some Further Objections

I will now attempt to deal with some of the more obvious objections that may be made to this project. First, public distribution of goods through such means as taxation seems to be on the wrong side of the harm principle. Since taxation is imposed coercively it would seem to be prohibited. But governments are subject to the duty to provide the conditions for the autonomy of citizens. As argued above, this has both a positive and negative implication. The positive implication is what is at stake here. Clearly if relevant conditions for autonomy include public works such as roads, clean air and water, public transit and the like, these cannot be provided without some funds. The government has an obligation to spend at least some money on its citizens. That it can legitimately impose taxes follows from the fact that citizens also have a positive duty to secure the conditions for autonomy for others. If the only way to secure clean drinking water is through public works, then citizens share in obligation to provide for them.

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[19] *The Morality of Freedom* p. 420.

Regardless of whether I get my "full dollar's worth" from my share of the contribution, I am still duty-bound to provide it. Similarly, my failure to pay my "fair share" might not actually harm any individual, but I am still bound by my duty. Failure to discharge my duty to a large group of people is not excusable even if the harm I have done is so thinly spread amongst them that it is not strictly identifiable. As Raz notes:

> A person who fails to discharge his autonomy-based obligations towards others is harming them, even if those obligations are designed to promote the others' autonomy rather than to prevent its deterioration. It follows that a government whose responsibility is to promote the autonomy of its citizens is entitled to redistribute resources, to provide public goods and to engage in the provision of other services on a compulsory basis, provided its laws merely reflect and make concrete autonomy-based duties of its citizens. Coercion is used to ensure compliance with the law. If the law reflects autonomy-based duties then failure to comply harms others and the harm principle is satisfied.[20]

A second objection might be that if coercion is used to prevent harm then it is being used to enforce morality. Why stop here? What is to stop this argument from applying to the enforcement of all morality? This objection only holds through a rejection of the entire perfectionist project. That is, the objection presupposes either anti-perfectionist exclusion of ideals or neutralism. I assume that the use of coercion to prevent "harmful immorality" (of the sort addressed above) is acceptable to the imagined objector. But what about "harmless immorality"? Strictly speaking, on a Razian interpretation there is no such thing as harmless immorality. All immorality is

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[20] *The Morality of Freedom* p. 417.

harmful in that it is a violation of the forms that constitute good lives. Nevertheless, there is still a distinction to be made between grievous and trivial immoralities. Grievous immoralities include such things as theft, assault, etc.; trivial immoralities include bad table manners, deceiving one's friends and so on. To be sure, there is no sharp line between the two; but we can certainly establish a difference of kind. This becomes relevant in light of the observations in the previous section to the effect that the harm principle demarcates those situations where coercion *might* be appropriate, not where it *must* be used; the enforcement of morality is necessarily coercive. That is, all our means by which civil life is controlled are coercive: we impose fines, imprison people and so on. This coercion, then, is only justifiable to prevent harm greater than the harm it necessarily causes. In this light, we see that having certain repugnant options available or even freely pursuing them does not necessarily detract from our or anyone else's autonomy to such an extent as to warrant coercion. Even if these options are undesirable, they may not necessarily be curbed by the state.

At first, this might not seem decisive. Consider R. George's objection:

> ...the justification for using coercion in other areas of the law, namely, to prevent harm, may be equally available in the case of morals laws, at least if we take seriously the perfectionist view that immorality is harmful. Raz says that coercion wrongfully violates autonomy when it is used to prevent 'immoral but harmless conduct.' On Raz's own perfectionist assumptions, however, immorality is in principle harmful: all immorality consists in violating norms of reasonableness which state what is morally due to human persons (oneself or others) as constituted by human goods....In seeking to protect the human good of a virtuous character against the corrupting

> influences of various forms of vice, morals laws, no less than other criminal laws, seek to prevent an intelligible, and, indeed, crucially important species of harm.[21]

George wants to claim that since Raz's assertion that autonomy is a fundamental good while maintaining that autonomy is only valuable when exercised over morally valuable options is contradictory. Thus, he argues that Raz must either reject the value of personal autonomy as an ideal contingent on morally valuable options, or recognize the validity of morals laws. But this is much too quick. Raz's position is self-contradictory only on a very narrow interpretation of autonomous action. If autonomy were restricted to simple, short-term actions, George's criticism would hold; but an autonomous life is comprised of numerous actions not all necessarily mutually supporting, but all *in the end* being part of the narrative that is a morally meaningful life. Let me explain with an analogy.

A few nights ago I played a game of chess. I had done some "home analysis" of a position which was reached in the game. As it turns out, my analysis was faulty, and was "busted" over the board. Now it is certainly true that had someone shown me the correct analysis in advance I would have been better off. This is the comparison to morals laws. The morals laws claim to be the correct analysis of a "position". But the game is more than one position and my "chess career" is considerably more than the other night's game. If chess players were to allow outside analysis to guide all

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[21] Robert P. George, *Making Men Moral: Civil Liberties and Public Morality* (Oxford, Clarendon Press, 1995) p. 169.

moves in all games, there would be no point in playing. Part of the value of being a player is in engaging in analysis, both in advance and over the board. To remove these aspects from the game is to remove the meaning from the game. Morals laws have the same effect. They deny the rational component of moral life. Morality is not a matter of simply obeying a number of laws; it is a matter of living a life fully aware that we are called upon to make difficult decisions, both in advance and "over the board". An autonomous life is meaningful only if it is directed at morally valuable options. But those options cannot be entirely prescribed in advance; without the possibility of going wrong, moral choice loses its meaning, it ceases to be moral at all. George's position fails because it is a denial of the cognitive, experienced, long-term nature of a full moral life.

The above argument clearly shows that it is unreasonable to legislate *all* of morality. Suppose the legislators are less ambitious. Suppose they only want to legislate *some* of morality. How can the perfectionist deal with that? Again, the harm principle limits the use of coercion only to the prevention of harm. Further, Raz can concede the conceptual point that under his perfectionist banner, all immorality is harmful. It does not follow, though, that coercion is justified to stop *all* harm. As mentioned in the previous section, the harm principle merely demarcates the domain where it *might* be reasonable to intervene. But as argued above, the putative harm must be of a substantial nature to warrant actions which may be more repressive than the alleged vice; the harm done by the invasion of autonomy

through the blunt instrument of law must not be greater than the harm done by allowing the vice to continue. Wise policy is often a matter of balancing harms, rather than eliminating them.

Beyond this, Raz imagines a world in which morals laws might be enforced without coercive measures. Although this expresses a possibility of which we have no experience in this world, it is worth consideration.

> Modest though the circumstances [of the possibility of the enforcement of "trivial" immoralities without coercion] are compared with some philosophical speculations, they diverge from anything we have experience of sufficiently to make it impossible for us to say how the change would affect the merits of the issue. It is substantial enough to bring with it not only a change in the application of our values, but a change in these values themselves. Such changes are, as a matter of principle, unpredictable.[22]

That is, the state had better be very sure of itself in the case of morals legislation, or any legislation for that matter. Even morals legislation without coercion is a threat to the socially established moral forms of our culture. Thus, the burden of justification for such change is quite large.

Still, there is a tension here. George would agree that it is unreasonable to legislate *all* of morality. But he would insist that there are certain aspects of morality that can and should be legislated. Raz's theory appears to be vulnerable in this area. If vindication is possible, it is in the rather abstract point concerning changes in moral norms, above. Suppose legislators attempted to bolster a commitment to "family values" through legislation that would make it very difficult for citizens to obtain divorce. On

one hand, such legislation would probably strongly affect the opinions and feelings of those considering entering marriage. The legislation would (likely) have the effect of making people considering marriage take into account the life-long commitment it would entail and enter the institution carefully and solemnly. As Raz would argue, the social form of marriage would change. But this is exactly the point of the legislation. Its supporters would want to argue that the existing form has become corrupt in that with "easy divorce" the level of commitment of prospective spouses has reached trivially low levels. Raz's objection is no objection at all, they would say, because a change in the form is precisely what is wanted and needed.

There is another side to this thought experiment, though. Suppose that the legislation did have the desired effect on those who would have entered the institution of marriage lightly. What effect might it have on those who enter and maintain marriage "for the right reasons"? That is, suppose someone were committed to a marriage through the virtuous impulsions of fidelity and personal commitment. Such a person does not seek "trivial" divorce, but is nonetheless "forced" by law to stay in a relationship to which he has already autonomously committed. The key idea is that the morals law *lessens the importance of virtuous commitment*. The person who has developed the virtues that the law aims to promote is no longer in need of those virtues to maintain the social form that the law is designed to protect.

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[22] *The Morality of Freedom*, pp.419-420.

The effect of the morals legislation can be to drive virtue away, rather than to promote it.

Imagine an insular culture with strict social forms regarding marriage. Spouses are selected for young people at their parents' discretion and marriage is, by law, established for life, regardless of any external circumstances. Marriage in such a culture could not have the same meaning for the married as it does in our culture. There is no need of the virtues we would normally deem valuable in marriage because there is nothing that can be done to ensure the survival of the marriage that the laws haven't already done. That is not to say that love, commitment, fidelity and so on cannot develop in such a situation, but it is clear that their meaning must be something different than they are in a marriage in which these are autonomous commitments, as they are in our culture.

This is precisely what is at issue with morals legislation: the meaning of virtuous commitment changes as a matter of logic when voluntary commitments are replaced with coerced commitments. It is through my autonomous commitment to morally valuable pursuits that they have their meaning. Once the level or nature of my commitment is altered, the nature of the pursuit is altered. Further, since moral pursuits have meaning only through social understanding, the law has the power to change the meaning of the moral norms it is trying to protect. This argument shows that Raz is, in fact, understating the case. Not only can we be unsure of what effect morals laws have on socially derived morality, there is good reason to believe that

morals legislation undermines morality by undermining the virtues that support it.

Still, the door does not seem completely closed. There may be cases where the advocates of morals legislation can promote their cause with sensitivity to these issues. It is not clear how Raz can convincingly lock out all such attempts. That being conceded, however, the above suggests that there will be very few cases where such legislation can be passed. Legislators will be required first, to provide substantial justification that the law would protect autonomy-based freedom more than it harms it with the blunt instrument of state coercion. Second, they would need to persuasively argue that the law does not distort the social form it is intended to protect. Morals laws that can pass through these critical filters may be justifiable.

This paper has so far been presented at a reasonably high level of abstraction; there has not been much focus on practical application of the ideas herein. I have established a justification for the educational promotion of the ideal of autonomy as a consequence of general considerations of the well-being of citizens in a liberal democracy. In particular, I have established the logical dependence of the virtue of tolerance on the ideal of personal autonomy. This suggests that schools have some obligation to promote the conditions of autonomy for students and to establish the virtue of tolerance within them. Stating these as valid abstract educational goals is one thing; their practical application is quite another. The following chapter will make

use of case studies to firmly place these abstract principles in recognizably real contexts.

Chapter Four: Beyond Tolerance: Four Case Studies

In the previous chapters I have argued for a conception of autonomy and tolerance within liberal society. In what follows, I will show what relevance this conception might have for dealing with the potentially divisive diversity in contemporary public schools. What does this account of tolerance have to say for the teacher in a multicultural and multifaith society?

As a perfectionist liberal, I have argued that the state has some duty toward and interest in tolerance as it is a direct consequence of respect for autonomy. This chapter will look at some case studies to apply these concepts to situations that may be confronted by a teacher in a public school. Integral to the treatment of the cases will be a discussion of the concepts of recognition and multiculturalism. Either of these topics on its own could fill papers much larger than this one. My aim is to simply articulate some basic, relatively uncontroversial, issues.

To begin, a school in which student-teacher and student-student relationships were exclusively born of tolerance would be a dismal place, indeed. In schools, we generally expect there to be an attitude of respect, of course, but also of friendship, common purpose and values, and genuine desire for the well-being of others. A school in which students did not share these feelings and goals, but merely tolerated one another would be missing much of what is important in the educational experience. In what follows I will show that the ideals of recognition and multiculturalism have tolerance as

minimal requirements, but that both go considerably further. As such, they both make considerable demands upon people; this will be explored as well. Finally, I will consider a case that suggests that there may be times when the ideals of recognition and multiculturalism demand too much, leaving "mere tolerance" as the last bastion of a value-pluralistic society.[1] First, I will articulate some ideas regarding the relationship between education and the virtue of tolerance.

Education and Tolerance

Tolerance is educationally significant in two ways: education for tolerance and education with tolerance. Education for tolerance is an enterprise aimed at promoting the development of the virtue of tolerance within children; education with tolerance is an enterprise informed by the virtue of tolerance on the part of the teacher, the student and all others—policy makers, administrators, elected officials—engaged in the shaping of educational practice in a liberal society. A brief explication of this will require first the development of the notion of a virtue and, second, a sketch of how these might be developed.

A virtue is generally considered to be a feature of character that enhances one's prospects for flourishing. Thus, in various contexts, thrift, diligence, loyalty, courage and the like are virtuous. Of course, moral virtue is not simply a matter of dispositions to do "right actions" but also involves

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[1] Of course, these comments also apply to the general polity and not only to students.

morally appropriate motivation: for instance, to tell the truth merely for personal gain is not to evince the virtue of honesty. My concern is with moral flourishing within a Razian polity; in particular, the socially established moral virtue of tolerance is of interest. That tolerance is an important virtue follows from the value of autonomy expressed through our autonomy-based duties toward others. These duties recognize the reality of competitive moral pluralism and the requirement that we allow and, where possible, enable others to be at least part authors of their own lives. It is reasonable, then, to assert that children being initiated into cultural membership through the experience of public education will need to have this virtue fostered in schools.

Eamonn Callan has developed the connection between virtues their appropriate development as follows:

> First, the virtues that constitute moral character, whatever they are, must be maintained by a self who has a critical commitment to maintaining them. Second the relevant commitment must occupy a deep role in the structure of the self. Third, the structural role of a moral commitment involves a range of emotional susceptibilities that includes, among other things, a propensity to what I call moral distress.[2]

I will briefly clarify these three constituents of education for virtue in light of the virtue of tolerance. First, Callan claims that virtue requires a critical commitment to maintaining virtue. Our commitment to virtue is critical in the sense that it is not merely volitional; it entails belief about how our lives

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[2] Eamonn Callan, "Virtue, Dialogue, and the Common School" p. 4. Callan has adopted the concept of moral distress from Jeremy Waldron's *Liberal Rights: Collected Papers 1981-1991*.

should be. The feature of critical commitment gives certain desires the status of authority in moral deliberation. That is, it is critical commitment that is at odds with the temptation to defy virtue. If I am tempted to be intolerant in a situation where tolerance is the appropriate response, my critical commitment to tolerance underpins the motivation to maintain the attitude and behavior conducive to tolerance. That motivational conflict can and does occur leads to the third main feature of virtuous development. For the "corrective" role of virtue to be fulfilled, moral commitment must be deep and pervasive; it must be powerful enough to weigh heavily in considerations with conflicting motivations. For example, the motivational strength of the virtue of honesty must be powerful enough to thwart the motivation of greed for shoplifters to virtuously arrest the desire to steal (as opposed, for instance, with the motivational fear of punishment deciding the issue).[3] This is the relationship Callan claims between moral character and moral distress.

Moral distress is "a cluster of emotions that may attend our response to words or actions of others or our own that we see as morally repellent."[4] This suggests that appropriate moral motivation comes about because our virtuous inclinations are rooted in powerful emotional responses to both the fulfillment and the violation of moral conduct. That is, our own immoral inclinations must, if virtue is to have an effect on our lives, be repellent to us,

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[3] This is at odds with the commonly voiced opinion that children need to understand that there are consequences to their actions; if they want to rob banks, then they'd better be prepared for the consequences. This is not moral education at all. If we give virtue its due, we want

as must be the immoral inclinations of others. Moral distress is, therefore, both self- and other-regarding. If I desire to steal, virtue can only restrain me if I have a response to that inclination that is genuinely powerful enough to be distressing. The distress is what puts the gravity of the wrong into perspective for me. Similarly, it evokes distress upon witnessing the morally wrong acts of others. A person who can watch the evening news without moral distress is lacking in deep moral commitments. Callan maintains that "a discriminating susceptibility to moral distress is a fundamental aspect of virtue, and therefore, that troubling cluster of emotions must be evoked, and suitably shaped, in the process of moral education."[5] I will not offer a critique of this view here. Nonetheless, I have summarized the view in language fully compatible with the Razian perfectionism of this paper. Its compatibility with this view should be clearly plausible.

This view highlights the two important manifestations of tolerance in education mentioned above. In education for tolerance, the virtue of tolerance must be inculcated within the framework of Callan's model. In education with tolerance, the acknowledgment of moral pluralism, combined with the (desired) presence of moral distress guarantees genuine moral conflict within the classroom. Both these points require some development.

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children to learn that it is wrong to rob banks, not that the only problem with crime is that you might get caught.

[4] "Virtue, Dialogue, and the Common School" pp. 6-7.

[5] "Virtue, Dialogue, and the Common School" p. 7.

First, education for tolerance involves the development of a deeply critical commitment to the virtue of tolerance. This, of course, is more easily said than done. But from the earliest years, the virtue of tolerance needs to be a visibly significant part of life. The teachers need not only model the appropriate virtue, but also encourage reflective dialogue on the nature and desirability of tolerance. Obviously there is much more to be said than can be provided here. Suffice it to say that, like any topic of substance, there is more at stake than simply learning "right answers" for a test. My important claim is that the development of the virtue of tolerance is an important component of moral education in a liberal polity.

The need for education with tolerance is evident from the nature of moral distress. In a society that recognizes the existence of moral diversity, conflict is unavoidable. Children come to the classroom with a wide range of moral and religious convictions; these are often strictly incompatible with those of some of their classmates. Thus the voicing of moral opinion greatly at odds with one's own can lead to moral distress. The suggestion is sometimes made that since moral distress ought to be avoided so too should moral dialogue in schools. But it is a difficult position to take seriously. The avoidance of ethical discussion is a denial of what it means to develop into an autonomous person within a liberal society. We value diversity and recognize the realities of moral pluralism. The denial of this is a denial of our liberal premises; such an education cannot be an initiation into liberal society.

This suggests that public education, if it is to be a genuine initiation into liberal society must share in the liberal virtue of tolerance. This is not to claim that the school is obliged to accept any and all opinions in the classroom. Tolerance in no way implies that all opinions are equally worthy and are entitled to "equal time". Liberalism is committed to the value of autonomy to pursue morally valuable options; it is not committed to license to do just anything. In moral dialogue, opinions that are compatible with autonomy-based freedom are to be freely and openly discussed in a manner compatible with the dignity and emotional and intellectual development of the parties involved. Opinions that deny the rights and dignity of others, for example, surely cannot remain unchallenged. Moral education must involve more than a simple enumeration of opinion; part of what it means to be morally educated is to develop appropriate virtues. But we saw that virtues must involve a critical commitment to them. That is, part of what it means to possess a virtue is to develop *in reason* some justification for it. A commitment to putative virtues that deny the principles of autonomy-based freedom for citizens must be defensible; it is the moral educators duty to promote meaningful dialogue that calls such opinions into question.

I have emphasized the negative in the above example, but it does not follow that only the "wrong" needs be questioned. But neither is critical commitment merely a matter of receiving positive reinforcement for "right" moral opinions (or having them ignored with an indulging smile, for that matter). Even those beliefs and opinions that are readily defensible in light of

autonomy-based freedom need to critically examined. The teacher who defers moral education to simple, uncritical open discussions is clearly negligent. It is clear, then, that education with tolerance is an essential part of education for tolerance. The education with tolerance is not merely a matter of the teacher being tolerant, but also a matter of fostering true tolerance within the classroom. Children are not tolerant merely by refraining from outward manifestations of their inclinations; they are tolerant only when they have acquired the virtue of tolerance. We cannot have the one without the other.

This leads naturally to the idea of recognition. The above suggests that virtue is a desideratum of moral education, and that virtue develops with the development of its critical justification. Since virtue is an essential component of the self, the acquisition of virtue entails some understanding of self-development. This relates to self-respect in the following way. Given the value of autonomy and the reality of value-pluralism, individuals are in a position of being able and required to evaluate and, if necessary, change life plans. Such "rational revision" can only take place under certain conditions. First, there needs to be some level of authentic awareness of oneself; surely critical commitment to the virtues necessary to one's form of life is a part of this. Second, our understanding of the forms in which we are engaged is largely developed through relationships with others similarly engaged. Rawls explains the point:

> ...while it is true that unless our endeavors are appreciated by our associates it is impossible for us to maintain the conviction that they are worthwhile, it is also true that others tend to value them only if what we do elicits their admiration or gives them pleasure....Moreover the more someone experiences his own way of life as worth fulfilling, the more likely he is to welcome our attainments....Putting these remarks together, the conditions for persons respecting themselves and one another would seem to require that their common plans be both rational and complementary: they call upon their educated endowments and arouse in each a sense of mastery, and they fit together into one scheme of activity that all can appreciate and enjoy.[6]

The importance of self-respect in the acquisition and development of virtue is what makes the recognition of ourselves and others as significant an important theme in moral education.

Recognition

Autonomy-based duties include some special duties of well-being. I assume that well-being involves, to some extent, the successful pursuit of some worthwhile activities. This should not be construed as suggesting that well-being is only possible under conditions of persistent, self-absorbing pursuit. Worthwhile activities can be large or small, absorbing or time-passing. These activities still must have some moral value of course: the pursuit of pleasure in the desecration of graveyards, for example, is not a constituent of a good life. Note that the well-being of interest here is not a matter of health and comfort; it is a matter of wellness in the development of a moral life.

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[6] *A Theory of Justice* p. 441.

Obviously, as Raz points out, my well-being is ultimately up to me in large part. I must choose my projects, adopt them with some intensity, and pursue them.[7] Whatever duties others may have toward me in this regard, they cannot be duties to do what I alone can do. Yet, as with the more general notion of autonomy, my well-being does depend partly on factors beyond my immediate control, namely the external conditions that make my projects possible. Raz brings this out in what he calls the "basic capacities principle". This principle suggests that there exists a duty "to promote conditions in which people have the basic capacities for pursuit of goals and relationships of sufficient range to make for a rewarding and fulfilling life."[8] Of course not all nor even any particular capacities are required; all that is needed is an adequate range of pursuable options.

The basic capacities principle, then, suggests that schools have a positive obligation to provide students with the basic tools for autonomous life. This is merely a restatement of the basic principle behind Raz's perfectionism: autonomy is central to well-being in liberal society. A part of well-being almost universally seen as important by educators, social scientists etc. is *self-respect*. Self-respect can come in a variety of forms, but it is generally agreed that individuals need to see themselves as valuable, participating members of society. It is not enough that we recognize ourselves to be equals as citizens under the law (though that is important);

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[7] *Ethics in the Public Domain* ch. 1.
[8] *Ethics in the Public Domain* p. 17.

people need to see themselves as equally valuable *as persons*. That is, all persons within a liberal society, simply by virtue of being persons within a liberal society, possess a certain inviolability. The point here is that self-respect is an essential ingredient in the development of a morally valuable life; that there are many diverse ways of living morally worthwhile lives has been argued in chapters one and two.[9]

This at first seems a rather roundabout way of pressing for antidiscriminatory policy; but there is more than that at stake. If my well-being is an issue of at least some public relevance and my self-respect is a factor, then nondiscrimination is only part of the issue. Merely refraining from overtly harming me doesn't get to the heart of the matter: my self-concept needs to be both protected and nourished if I am to flourish. Key to this is *recognition* of me as intrinsically valuable; this is clearly distinct from merely tolerating me as different, or as an individual. Note that the same restriction applies as above: no one can make my life meaningful for me, but there can exist duties to allow me to make my life worthwhile and there are duties prescribed by the harm principle.

Charles Taylor has drawn important connections between authenticity—seen to be an important constituent of the capacity for

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[9] It is essential to distinguish between the concepts of the moral worth of persons and the moral worth of lives. I argued in chapter one that morally worthy lives are strictly incommensurable, that there is no way of ranking the relative worth of morally maximal forms. In this context, it is meaningless to say that these lives are of equal worth; they are incomparably worthy. On the other hand, when I claim that persons are of equal moral worth, I am claiming that they are equally deserving of respect as persons, and that they have equal entitlement to the goods of well-being in liberal society.

autonomy in chapter one—and recognition. Taylor makes two important observations here. First, he claims that authenticity, the meaningful and appropriate development and fulfillment of the self, is informed through meaningful relationship and dialogue with "significant others".

> The general feature of human life that I want to evoke is its fundamental *dialogical* character. We become full human agents, capable of understanding ourselves, and hence of defining an identity, through our acquisition of rich human expression....But we are inducted into these in exchange with others. No one acquires the languages needed for self-definition on their own. We are introduced to them through exchanges with others who matter to us...
>
> Moreover, this is not just a fact about *genesis*, which can be ignored later on....[T]his is not how things work with important issues, such as the definition of our identity. We define this always in dialogue with, sometimes in struggle against, the identities our significant others want to recognize in us.[10]

What this suggests is that *relationships* are an integral part of what it means to develop an identity, to begin to live authentically, to flourish. The fostering and respecting of such relationships is, therefore, an important part of the autonomy-based duties of the school. Students come to school with a number of relationships with significant others already developed. Typically, these might be with family, friends, community, religious and cultural affiliations and so on. The school, therefore, has a duty to protect and preserve these relationships of self-definition. The first case study will clarify this.

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[10] Charles Taylor, *The Malaise of Modernity* (Concord, Ont., Anansi Press, 1991) pp. 32-33. Italics Taylor's.

Case One: The Anti-Smoking Campaign

Susan Fairweather, a grade three teacher, decided that as part of the health curriculum, she would provide a powerful anti-smoking campaign. Inspired by a television campaign with the slogan "If you drink and drive, you're a bloody idiot" she made a number of posters with slogans such as "Smoke is for the stupid" and "Smoking makes you a butt-head." She was pleased with the earnestness with which her students took to the campaign until she got a phone call from a furious parent. One of her students, Sarah, had taken the message to heart and had proclaimed that her father was nothing but a "stupid butt-head" and refused to even speak to him so long as he continued to smoke.

Analysis

What is wrong here? Surely Susan's campaign is well-intentioned; and what could be wrong with discouraging children from smoking? On the other hand, Susan has to admit that she has inadvertently caused harm to Sarah's father; a threat to the love and commitment of one's children is not a mere trifle. But what of Sarah herself? Is it possible that the campaign—and by extension, Susan—had caused her harm? I would argue, yes.

Sarah is fundamentally a part of her own family. Through her family members she has developed most of what we would call her personality and identity. She has acquired values of some sort, and has been actively engaged in meaningful activities that have helped her to define herself both currently and projectively. To interfere with this normal and significant

relationship is to harm Sarah; her prospects for continuing significant relationship with her father have been diminished.[11] What has happened is that Susan has failed to *recognize* Sarah's father in a morally relevant way. That his smoking is hazardous goes without saying. Yet he is an adult engaged in (we can suppose) a morally acceptable life. His consumption of a legal substance does not qualify as sufficient reason to use such coercion through his daughter.[12]

But the problem is deeper than this. If Sarah's self is significantly bound to her familial relationships, then casting aspersions on her family and consequently on the relationships therein is to deny Sarah recognition as morally worthy. The doubt caused about her father "forces" Sarah to make some problematic decisions. Either she must reject the authority and wisdom of her father or that of her teacher. Either way, Sarah must face a personal diminution: the strength of her relationship with a significant other will be weakened. The harm principle cannot justify such a use of coercive influence.

This discussion illustrates Taylor's second point on recognition: its denial may be harmful.

> On the social plane, the understanding that identities are formed in open dialogue, unshaped by a predefined social script, has made the politics of equal recognition more central

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[11] To be sure, it is unlikely that the damage to the relationship will be permanent. The basic point still holds: Susan has interfered with a most significant relationship in Sarah's life.

[12] Some may wish to make a case that his smoking is potentially disastrous for his family and that this justifies coercive action. If a successful case were to be made, it still would not justify Susan's action. First, it is clearly not her jurisdiction to act nor, as I shall argue, would this justify harming Sarah.

> and stressful. It has, in fact, considerably raised its stakes. Equal recognition is not just the appropriate mode for a healthy democratic society. Its refusal can inflict damage on those who are denied it, according to a widespread modern view. The projecting of an inferior or demeaning image on another can actually distort and oppress, to the extent that it is interiorized. Not only contemporary feminism but also race relations and discussions of multiculturalism are undergirded by the premiss that denied recognition can be a form of oppression. Whether this factor has been exaggerated may be questioned, but it is clear that the understanding of identity and authenticity has introduced a new dimension into the politics of equal recognition...[13]

This introduces two important ideas. The following case study emphasizes the projecting of images on others and the third will focus on multicultural considerations. Notice that the harm claimed is entailed by the Razian formulation in chapter two. That is, the harm caused to one by denied recognition is a harm to one's projects, a diminution of one's self-authorship within a liberal polity.

While recognition is something greater than tolerance, its denial is clearly a matter of intolerance. We can see this by imagining a different course of action in the case above. Suppose Susan reconsidered her position through seeing that, although she disapproves of Sarah's father's smoking and she reasonably believes that he ought to quit, he has a valuable relationship with his daughter that both he and Sarah benefit from. For Susan to conclude that she ought to refrain from interfering in this relationship on these grounds, she would be acting from the virtuous impulsion of tolerance. This suggests that although recognition is a greater demand than

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[13] *The Malaise of Modernity*, pp. 49-50.

tolerance, intolerance is clearly antithetical to it. Notice also that this does not suggest that tolerance is a necessary condition of recognition. I can give recognition to those I am not tempted to be intolerant of—those with whom I agree in all relevant matters, for instance. Since I am not exercising the virtue of tolerance in these cases, it is clearly not a necessary feature. The conclusion must be, though, that intolerance is sufficient for the denial of recognition, but tolerance is not necessary for its support.

Case Two: The Proselytizing Student

James Tilley is a grade eight student in a public junior high. He is a model citizen of the school, participating in all levels of school life from athletics to scholastics. He is very intelligent and willing and able to engage in meaningful discussion or debate with both staff and students. It is well known that James is "proudly fundamental" in his religion: he reads the Bible during class reading periods and often turns classroom discussions toward Biblical- and church-related themes.

James' religion had not been an issue until recently. Ruquiayeh Khan, a Muslim classmate of James, complained to Agnes Day, their home room teacher, that James had been pushing his views too far. James, she explained, had been "warning" her and other students that, while he had nothing against them personally, they were following false prophets and unless they mended their ways, they would be condemned to eternity in Hell.

James cared for them, he claimed, and wanted to help them save themselves from this most horrific condemnation.

Agnes discussed the issue with James. He claimed that they were merely discussing the content of their religious beliefs and that the matter had ended there. Ruquiayeh was not satisfied. She brought in some books claiming that the *Qu'ran*'s cosmology aligns more closely to modern science than the *Bible*'s, and was therefore a more reliable guide to life. James was livid. He was not going to take this sort of abuse from a Muslim. He warned Ruquiayeh, in loud voice and strong language, that she had best repent before she get cast into the eternal pain of Hell fire. Agnes realized that the issue had already escalated beyond what she could accept in the classroom and decided to take action.

Analysis

I will first use this case to review some of the basic features of tolerance and how they come into play in student relationships and how the teacher is bound to create and enforce policy that appropriately respects students.

First, it should be clear that tolerance is a key issue here. Recall Raz' four part definition of tolerance. Tolerance is a restraint of behavior which is:

1. unwelcome or normally seen as unwelcome by the one to whom it is addressed;
2. against one's inclination;

3. against an inclination based on distaste or antagonism toward its object; and
4. seen by its acting agent as worthwhile or desirable.

Against this backdrop, we see immediately that James' actions are intolerant. His words are clearly unwelcome to Ruquiayeh and, presumably, others. He is not inclined to stop because religions other than his own apparently arouse distaste and antagonism. Finally, he appears to be acting in good faith. That is, he is not attempting merely to be mean or offensive, he genuinely believes that he is doing something worthwhile. His behavior toward Muslim students is clearly intolerant. That being said, we still need to show that this intolerance is unwarranted. Is James' intolerant speech in violation of the harm principle? Does it represent impediment to anyone's legitimate pursuit or exercise of autonomy? Consider two distinct possibilities. First, suppose that Ms Day is aware of the verbal jousting but does nothing. As an authority figure—in a sense, she represents the state to her students—her unwillingness to intervene shows a *de facto* acceptance of its appropriateness. That is not to say that she is showing tacit agreement with James' words or deeds, but that she recognizes them as acceptable constituents of free speech within the school community. I will return to this momentarily.

Given then that Ruquiayeh must listen to James' words, they represent *something* to her. If she takes any of their meaning, they represent a denial of the meaning and importance of her religious faith. That is, if James is onto

anything, her religion is in some way "false" or "dangerous" to her. This represents two possible threats to her. First, as suggested in the previous case, recognition of family (and culture, etc.) represents for children a meaningful stability within which to develop a meaningful life. Threats to that stability are potentially debilitating to developing children. This is an important point. People such as James offer no threat whatsoever to *my* view of the world. That is, as an adult, I am secure enough in my situation and projects to see James' views as his own and do not suffer anything beyond annoyance at them. This is typical of most free speech within liberal society: speech that is annoying or tedious is not to be censored; speech that is clearly harmful is to be. With children, the situation is different. Ruquiayeh is in the process of "becoming" someone. This is not merely a matter of self-definition *ex nihilo*; we acquire meaning against what Taylor and Raz would call a "horizon of significance". Ruquiayeh's self development is, as in Case One above, dependent on the recognition of her as a person and her relationships with significant others as worthy. As Kenneth Strike has argued, the normal "marketplace of ideas" championed in liberal thought does not apply to schools; there are other, more important, processes going on there; the marketplace is often at odds with these processes.[14]

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[14] Kenneth Strike, *Liberty and Learning* (Oxford, Martin Robertson & Company, 1982). Strike's argument includes the observation that learning must occur within a context of meaning, especially for the very young. The removal of this background (Taylor's "horizon of significance") is harmful to authentic inquiry. This is, in some ways, a statement of the classic distinction between license and liberty.

Second, James' rhetoric is a significant denial of recognition. This is closely related to the point above. Part of Ruquiayeh's identity is Islamic. Beyond disrespecting her normal and acceptable familial and cultural relationships, James' words are outwardly disrespectful of Ruquiayeh as a person. The failure to respect Ruquiayeh as a Muslim is not only a failure to tolerate morally acceptable ways of life it is a failure to recognize her as an equal as well. I will further develop this idea in the section on multiculturalism. Beyond developmental concerns for recognition, James is not living up to the normally expected level of tolerance within value pluralism.

But this raises two more questions. First, can James (or his family) object that their religion represents the one true faith, and that all others are morally worthless. If this case could be made, then tolerance guided by the insight of value pluralism would not protect religious freedom any more than it protects mass murder. While the objection seems facile on the surface, it is the sort of claim often made in public discourse. The reason the claim fails is that the standards of judgment of religious truth are not public in the same sense that standards of truth with regard to murder are. Within the liberal polity, we can come to some agreement over principles such as respect for autonomy. Murder clearly falls outside the realm of autonomically respectful actions; it violates the harm principle. But the practice of religion does not.

There are no publicly testable criteria for the claim that the individual practice of religion is harmful in the sense claimed.[15]

The second question this brings out is whether the harm principle applies to children in the same way that it applies to adults. On the one hand, there seems no reason to deny that we only want to use coercion on children to prevent harm to them. This can take either a positive or negative form. Coercion that prevents an infant from handling a hot stove clearly is a positive prevention of harm. Coercion that forces children to attend school even when they do not want to is a negative prevention of harm: presumably, it is in the child's best interest to go to school so that an appropriate range of options be available for future autonomous life.[16] The other side of the question is whether the injunction against coercion applies to children as well as to adults. Agnes may be prohibited from the use of coercion, but is James? While James is not a fully autonomous agent, he has less responsibility for his actions than an adult would. Still, as suggested above, Agnes "is" the state. She is ultimately responsible for what is going on in the classroom. All the important duties of the state fall on her in this context. By

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[15] Of course, it may be argued that the practice of "false" religions is harmful to the prospects of salvation, but such judgments can only be made within the religion itself. That is, a state religion must be adopted before these claims could be taken seriously in public discourse. This, of course, could only occur in a distinctly illiberal society: one that does not value liberty. Note also, that some religions, say those that would support human sacrifice, might be excluded by the harm principle. This is what is at issue in cases such as the infibulation of female children in some cultures. Is the procedure clearly harmful to the child's prospects?

[16] There may be cases where mandatory retraining programs be implemented for adults are justified. These might include programs for convicted impaired drivers and so on. In the case of children, the schools are attempting to respect what Joel Feinberg calls "the child's right to an open future." This is clearly in support of the Razian call for the conditions for autonomy to be present for citizens.

allowing James to run roughshod over one of his classmates, she is giving his actions tacit approval. Thus, if James' actions are coercive as I have suggested above, Agnes is responsible for it. The onus is clearly on Agnes to put an end to the abusive talk and to facilitate as much as possible the reclamation of dignity for all involved.

But what of Ruquiayeh? Does she have some culpability here as well? Intuitively, it is tempting to sympathize with her. She has been subjected to some inappropriate verbal abuse and approached the correct authority figure—her teacher—to have the situation addressed. When it became clear that her teacher failed to put an end to the talk, she "fought back" in her own way. While her motivation seems understandable, and perhaps forgivable, there is still the problem of the material she brought to school. If we ignore the provocation for a moment, the act of bringing that particular book to school is problematic. Surely if it is wrong for James to publicly dismiss Ruquiayeh's religion as "false" then it must be just as wrong for her to openly call James' legitimate religion into question. Does Raz's view of the harm principle call on Agnes to suppress legal reading material in the classroom?

The first distinction to be made is the difference between reading the book and promulgating its contents. The harm principle would only endorse suppressing this book if it were likely to cause harm. When Ruquiayeh reads the book in seclusion, the only person plausibly harmed is herself. That is, the book may in some way distort or suppress something of value to her

pursuit of a meaningful life. Such a judgment is, of course, lacking without a critique of the actual content of the book, so we will have to make some assumptions.[17]

In all likelihood the book in question promotes neither tolerance nor intolerance. It would most likely be a series of (bad) arguments claiming that Islam is more "scientific" and hence more "rational" than Christianity.[18] The reading of such a book is unlikely to cause any harm to Ruquiayeh. She is presumably already immersed in her own religious culture, and even specious arguments that affirm her belief are not problematic. Also, the book reinforces the belief that others are religiously mistaken. But she could not take her own faith seriously without this belief in the first place. Christianity and Islam cannot be simultaneously "true"; they are mutually inconsistent. It is this recognition that calls for the virtue of tolerance in the first place; reinforcing belief that calls for tolerance hardly promotes intolerance. Notice that this argument does not call for students' freedom to read just any book. There are books which clearly promote hatred and intolerance. In such cases, action may be required. A student reading *The Protocols of the*

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[17] Teachers are forced to work this way all the time. It would be ludicrous to expect a teacher to preview all reading material brought into class. If a teacher becomes aware of material that is dubious—a provocative title, or comments from students, etc.—then she may be required to request the material from the student that it may be looked at more closely. In the vast majority of cases, the teacher is only marginally aware of what specific book is being read by each student at any given time. I see no reason to criticize this state of affairs.

[18] I name no particular book in the case and have none in mind, but several such titles have been popularized in the past few years. As mentioned above (note #13) religion does not readily submit to external critique. For the theses advanced in these books to be taken seriously, scientific knowledge must have priority over religious knowledge. That is, religion must be subservient to science. I cannot think of a single major religion that would be prepared to give up faith in favour of science.

Learned Elders of Zion may have a genuine interest in a controversial book shown by scholars to be a hoax. On the other hand, the book may be used in the context of promoting fear of and intolerance toward Jews. The teacher needs to judge each case with caution and sensitivity.

I have established that Agnes may cheerfully tolerate Ruquiayeh's reading of certain books. Still, she must draw the line at how the material in the books is publicly presented. It is one thing to raise the content of such books in a classroom discussion where, under the guidance of the teacher, the nature of the arguments and conclusions of the books may be properly scrutinized.[19] But it is quite something else when the books are used as "authoritative insults" to another student. It is sad but true that the printed word has tremendous authority with children. Often, if a child reads something in the library it is almost impossible to convince him that it is not true. Agnes will need to work with Ruquiayeh to make her understand the intolerance of her actions. For if James' words constitute potential harm to Ruquiayeh, her printed and spoken words represent a similar threat to him.

Multiculturalism

Case Two points to a connection between recognition and multiculturalism. The word "multiculturalism" is typically used both descriptively and prescriptively. It describes a polity in which members may

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[19] Some might say that I have too high expectations for teachers. Yet I remain convinced that teachers can and do manage such discussions with sensitivity and intelligence.

belong to any of a number of legitimate, viable cultural groups. At the same time it prescribes policy that gives equal recognition and support to these groups and their members.[20]

Raz gives the following account of what multiculturalism means within a perfectionist liberalism:

> The policy of multiculturalism differs from that which relies exclusively on non-discrimination rights in rejecting the individualistic bias of the latter. While endorsing non-discrimination rights, multiculturalism emphasizes the importance to political action of two evaluative judgments. First, the belief that individual freedom and prosperity depend on full and unimpeded membership in a respected and flourishing cultural group. Multiculturalism as an evaluative approach is anchored in a belief in the interdependence of individual well-being and the prosperity of the cultural group to which those individuals belong. Second, multiculturalism arises out of a belief in value pluralism, and in particular in the validity of the diverse values embodied in the practices which constitute the diverse and in many ways incompatible values of different societies.[21]

Much of this has been argued in the above sections. First, Raz claims that there is a tight link between recognition and multiculturalism. This is nicely illustrated in the cases above. What is essential for the well-being of the children in question is the recognition of their familial and religious groups. Multiculturalism extends this a bit further. First, it expands beyond family and religion to culture. This hardly requires comment. For all the reasons that the recognition of the validity and acceptability of family and

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[20] There are two significant manifestations of multiculturalism in Canada. In one, groups such as Inuit or Hutterites are relatively isolated from the rest of society; I will not discuss this case. The other, more obvious multicultural reality is the situation where various groups live and interact in close proximity. This is the most familiar situation in Canada and it will be the focus of my discussion.

culture figure in the normal, healthy development of children, so does membership in a viable cultural group.

A common confusion often arises at this point. It is argued that cultural membership is not essential to well-being. Consider most Canadians: they do not consider themselves to be affiliated with any particular cultural group. Certainly many Canadians are of highly mixed cultural heritage and do not seem to require the membership that multiculturalism calls for. Even though I carry the name "Macnab", I do not find any kinship with the Scots, for example. I bring this point forward not because it represents any sophisticated response to multiculturalism, but because it represents a currently popular sentiment. Two responses are readily available. First, people such as I do have cultural affiliations. Raised as a white anglophone Protestant, my culture permeates every aspect of Western Canadian life. The schools and businesses speak my language, honour my holidays, share significant ideas and so on. Just because some members belong to a group so large that it becomes transparent does not mean that it does not exist. This ties to the second response. There is often a prejudice that cultural groups in Canada are somehow identical to cultural groups in other countries. That is, Chinese Canadians are seen as more Chinese than Canadian. This not only is untrue but it misses the point. Whether Chinese Canadians have close ties to China is immaterial: they form a cultural group in Canada; that's what counts. Cultures are like languages:

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[21] *Ethics in the Public Domain*, p. 159.

they may have the same origin, but they evolve separately. What is significant is that distinct cultures continue to thrive in this country. Note also that cultural groups need not be monolithic. So-called "mainstream" Canadian culture consists of a number of smaller sub-groups and affiliations. That these have "sloppy" boundaries does not indicate that the groups do not exist. Similarly, it is not essential that any group be readily definable. Many Canadians have Indian ancestry and religious practices, but come from Central Africa where a number of other linguistic and cultural affiliations have become part of their lives, for example. The point is that people do have some significant relationship to cultural groups.

Raz's second main point about multiculturalism is that it is related to value pluralism, the view that there are many different and incompatible ways to live a good life. This is hardly a surprising connection; if forms of life can be informed by cultural membership, then much of what was said about pluralism and tolerance between individuals in chapters one and two can be extended to cultural membership. Multiculturalism affirms that the forms of life derived from membership in different and incompatible cultures are deserving of respect. Also, "group value pluralism" implies that there may be inevitable tensions between groups, in much the same way that individualistic value pluralism leads to tensions between individuals. The following case highlights some important considerations.

Case Three: Baseball Caps and Turbans

The staff at Winchester High School implemented a "no hat" policy in the school. It was decided that it is customary in Western culture for males to remove hats indoors, and the school wanted to teach the students how to appropriately dress in the world they would eventually enter as workers and citizens. The question of gender came up; the staff decided that girls' hats were acceptable only if they were part of an integrated outfit and so long as they did not interfere with the view of other students. Large hats were, therefore, out.

The policy met with approval from the parent community, and only with a small amount of grumbling from the students. A few complained out loud, but did not care enough to make a fuss over the issue.

Several months after the policy was in place, Bruce McFarlane raised an official complaint with the office. Haran Singh, a Sikh classmate of his, regularly wore a turban to class. If Haran were to be permitted to wear a "hat" then he should surely be permitted to wear his ball cap. Further, Bruce argued, his ball cap is part of his rural Albertan heritage and forms an integral part of his cultural attire. Either Haran's turban must be removed or Bruce must be permitted to wear his cap.

Principal Mary O'Ryan was surprised by Bruce's insistence. She tried to reason with him but he stood firm. The next day his parents called the school offering full support to their son.

Analysis

There are a number of issues here; I will restrict myself to discussing Bruce's claim that a ball cap and a turban are comparable cultural items. This will highlight some issues important to this chapter. Whether the original policy is just or whether it might be expedient to change things to appease the McFarlanes is not of issue here.

That Bruce's claim is intelligible is an indication of the limitations of the normal conception of tolerance. The "normal" notions of tolerance and the harm principle underprescribe the appropriate liberal response to multiculturalism. The following draws on arguments made by Anna Elisabetta Galeotti in her analysis of the famous French "*Chador* Case".[22]

If we take the view that tolerance is largely a matter of the suspension of the power of interference in disapproved of activities of others, then there really is no distinction between the ball cap and the turban. If tolerance is all that is at stake, there is no justification for any ban on clothing at all: the fact that some people might dislike or disapprove of others' autonomous choices of dress would be sufficient grounds for tolerance. One would have to show that the "headgear" in question is harmful. This would be taken care of in the case of the "large hats" restriction for females. But this misses the moral point: a turban is not the same as a ball cap; it is a religious symbol. The

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[22] Anna Elisabetta Galeotti, "Citizenship and Equality: The Place for Toleration" in *Political Theory* (Vol. 21 No 4, November, 1993). The "*Chador* Case" was the fallout over the refusal of three French Muslim students to remove their traditional scarves, or *chadors* in school in 1989. The French case had the further complication of the girls' refusal to participate in physical education and biology classes. The *Conseil d'Etat* ruled in the girls' favour.

turban is a part of Haran's identity in a way that the ball cap is not part of Bruce's.

Since the harm principle suggests that the only way Bruce or Haran could be forced to remove their "headgear" would be if the clothing in question were harmful, and it is clear that in their *particular* cases it isn't, then there is no reason to ask either of them to remove their head coverings. I consider a *general* case for hat removal below. Assume for the moment that the general case makes for a defensible rule. Now Bruce and Haran must show that the rule is particularly harmful to them as individuals in order to make their cases.

First, consider what reasons there may be for enforcing the removal of hats. The school policy is coercive in that it makes demands upon students and enforces them (presumably) with the threat of punishment. The policy might be generally backed by the harm principle as follows. First, the claim that it might be harmful for male students not to practice the removal of hats indoors would have to be made. This is plausible only on the interpretation that the boys are learning "good habits" for life in our culture. Clearly, they are not in any imminent danger simply by wearing hats at school. The school would have to claim that the acquisition of the habit is in the boys' interest to the point that it will make participation in culturally meaningful activities possible in a way that they might not be for those who do not remove their hats indoors. This is not unreasonable. We force children to stand during the playing of the national anthem for the same reason. Note that this case is

more plausible under the Razian interpretation of the harm principle than under most neutralist readings: Raz allows the harm in question to be to the acting agent, whereas neutralists do not. This forces the neutralist to make special appeals to paternalism, a feature "built into" the perfectionist model. The question of whether the cultural norm of hat removal still survives or whether acquiescence with it is still valuable would be worth considering in the practical case of the parties involved. For the purpose of illustration of ideas more relevant to the topic at hand, I will assume the norm to be alive, well and valuable.

(In the practical world, the issue might be closed with the observation that exceptions are routinely made for turbans, but that is not the issue here. For one thing, there is still some debate over the question. Second, it needs to be shown that that practice is not in violation of the principles espoused herein.)

The next claim to be addressed is whether the ball cap is a legitimate exception to the rule. Bruce claims that the cap is a part of traditional dress in rural Alberta. Anyone who has lived or worked in rural Alberta would have to agree: peaked caps are everywhere. (In my experience, they are typically removed in restaurants, church, etc., especially by older men.) Bruce would have to claim that the prohibition harms him in a way that a *laissez-faire* policy would not.

This raises a significant point about the harm principle. If coercion may only be used to prevent harm, what justifies the removal of that

coercion? In particular, this case raises the question of a possible tension between potential harm to an individual and a generalized *rule* that is expected to prevent harm in most cases. For example, it is plausible that there could be situations where a false fire alarm might not harm anyone, but that does not justify the removal of the prohibition. The prohibition represents a general rule that prevents harm generally. In the case at hand, Bruce cannot claim that since he is unlikely to suffer harm from hat-wearing that he cannot be impelled to follow the rule; he would need the much stronger claim that the rule is harmful to him. This is where the "cultural" claim arises.

Bruce is trying to suggest that the denial of permission to wear his hat is a denial of his cultural identity. The claim, then, is not only of personal recognition, but is of cultural identity under the auspices of multiculturalism. And it simply does not hold. There is a significant difference between typical fashion and the elements *required* for cultural membership. Bruce will be recognized both within and without his cultural group whether he wears the hat or not. The hat is no different, then, than a half-ton truck or cowboy boots: many members of the group to which Bruce claims affiliation have them and many do not. Bruce's mistake is the confusion of typical features with necessary ones.

Haran, on the other hand, has a legitimate cultural claim to make. The turban is an essential part of both his personal and his cultural identity. As a

Sikh, it is a religious duty for him to wear his turban.[23] Forcing him to remove it would be a matter of forcing him to renounce his identity; Haran could not be "himself" through failure to live up to a religious ideal. The essential difference between Haran's and Bruce's claims is precisely the difference between "mere tolerance" and multicultural recognition. Galeotti's comments on the *Chador* case directly apply here:

> The kind of equality at stake here is equality of respect. If a social difference is denied public visibility and legitimacy in the polity, the group associated with it inevitably bears social stigmata; hence its members lack the possibility of "appearing in public without shame"—a crucial condition...for individual well-being and self-esteem. The incapability of appearing in public without shame, in this case, is not an individual problem because it is linked with the public stigmatization of the group of which the individual is a member. In a word, the members of...[such] groups lack the conditions for self-respect and self-esteem because, due to their social difference, they do not enjoy public respect.[24]

That is, denial of the right to wear his turban is an affront to both Haran and Sikhism. It is likely that this issue is around today only because in the cultural context in which liberal democracy arose, one could easily separate public and private affairs, such as religion. For most Europeans and North Americans, until recently at least, a person's religion could not be determined by appearance alone; the dominant religions did not require publicly visible symbols to be displayed for continuing practice and membership in the community. Notable exceptions, such as Orthodox Jews, were marginalized.

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[23] I have no particular expertise in the Sikh religion. The facts I report are taken from common knowledge and are supposed to be uncontroversial.

[24] "Citizenship and Equality: The Place for Toleration" pp. 597-598.

It is perhaps paradoxical to some that full acceptance and membership in public life requires the public recognition of private affiliations and convictions. But this case indicates that it does. I have on several occasions heard teachers object to school "multicultural days", expressing such sentiments as, "The kids get along fine as it is. Why stir things up by showing them that they are different.?" The error here is in assuming that the respect accorded through equality is appropriately made manifest through a "colour blindness" that pretends that equals are essentially indistinguishable. The equality of respect implies the recognition that there are publicly discernible differences that do matter, but do not threaten the equality of persons.

The vision of multiculturalism above can be accurately expressed as a "celebratory" pluralism. That is, it is an attitude that not only recognizes difference, but sees such difference as a positive aspect of pluralistic society. Tolerance certainly appears to be a less generous response to difference than a celebratory multicultural attitude. Tempting though it may be, it is nonetheless impossible to make an all-inclusive generalization of the superiority of celebratory multiculturalism to "mere tolerance." This is because of the deep differences accounted by value pluralism. The pluralism of value, as we recall, suggests that there are morally valid forms of life that are strictly incompatible. This implies that there can be clear cases where tension between individuals or groups is inevitable. One cannot force celebratory response in such situations without requiring that at least one of the disputing parties forsake its morally valid form of life. In such cases,

tolerance may very well be the best political solution to irreconcilable conflict. The following case elaborates this theme.

Case Four: Homosexuality in Health Class

Patrick LeBlanc teaches grade nine health in a public junior high school. Part of the program deals with human sexuality. Each year, parents are invited to an evening inservice to meet the health teachers, see a quick overview of the curriculum and to raise any questions they might have. Typically, parents have been very supportive, with only the occasional case of parents requesting that their children be excused from class for all or part of this unit.

This year a parent, Guy Warner, raised the roof during question period. What were Patrick's plans with regard to discussion of homosexuality? Patrick replied that he believed that all citizens of a democracy are equally deserving of respect and opportunity to live their lives to the fullest. Homosexuals were no different from any other citizens in that regard. Patrick said that he would deal with the subject as sensitively as possible, but in the end, he believed that homosexuals should be recognized as persons living full lives as worthy as any others.

Mr. Warner was less than satisfied by this reply. His family was Christian, he explained, and to them homosexuality is an abomination before the eyes of God. He would tolerate teaching that indicated that

homosexuality exists and is wrong, but he could not accept any classroom instruction that suggested that homosexual lifestyle was an expression a normal, acceptable human life. He and Patrick agreed to meet after the meeting to see what kind of agreement they could work out.

Analysis

Mr. Warner's claim here is that the celebratory attitude at the heart of multicultural policy is out of place in this case. Further, he is not prepared to allow public statements that recognize homosexuals, or that make it possible for them to "appear in public without shame," to use Galeotti's phrase.

Still, the claim that homosexuals may deserve respect *as homosexuals* must have some weight. As with the "transparent majority culture" in case three, sexual orientation does not appear to be an issue with most people. That is, for most heterosexual people in Canadian society, this is *their* world. Heterosexuals don't feel the need to stand up and say "recognize me for what I am" in the same way as do the participants of Gay Pride parades and the like. If the arguments from recognition hold in the cases of religion and culture, then they surely apply here as well. The normal duties of well-being owed to members of the liberal state apply to all members equally, including homosexuals. If recognition is a part of well-being, then recognition is clearly due to gays and lesbians.

The above suggests that homosexuals are owed recognition as part of their well-being as citizens. To deny them recognition would be to harm

them. The harm principle would then justify coercive measures that prevent this harm. Such measures might include prohibitions on anti-homosexual materials being promoted and so forth. The claim that homosexuality is not deserving of such protection could only be presented as the claim that homosexuality is itself harmful and ought to be handled with the coercive power of the law. Given the discussion of harm in chapter two it is hard to see how such a case could succeed. Homosexual lifestyle (assuming for the moment that it could be defined) is clearly not harmful to the prospects of those not participating in it. The claim would have to be that it is harmful to those engaged in it. But that claim would have to be that those engaged in homosexual lifestyle have a serious impediment to their morally valid projects as circumscribed by autonomy-based freedom. If such a case could be made, I have no idea how it could even begin. The claim that homosexuals deserve censure because their activity is a violation of religious law cannot hold because of the nature of value pluralism in the liberal state. It is at least logically possible that homosexuals have morally maximal lives that are not compatible with the lives of the objectors; merely claiming that their lives are not of the same form of the objectors is not sufficient for the coercive apparatus of the state to be called in.

Note that I have suggested that there is no compelling case forthcoming that would suggest that homosexuals ought to be denied recognition in a liberal society. I have not shown that Mr. Warner's objection—that his children require protection from an outright acceptance of

homosexual practice—does not hold. The case of education is a special one; there are other stakeholders in this conflict: in this case, the Warner children.

The difficulty with this case is that forcing Guy Warner's children to give positive recognition to homosexuals would entail forcing them to surrender a part of their own identities. For if homosexual activity is seen as an abomination in the eyes of God by the Warners, then it is not reasonable to force them to renounce their religious convictions any more than it would have been reasonable to force Haran Singh to renounce his in case three. This requires some explication.

The Warner children are being asked to recognize some unnamed persons as homosexuals as part of their fulfillment of the duties of well-being we, as citizens in a liberal democracy, owe others. But the Warner children, like everyone else, have an interest in their own well-being as (possibly) autonomous agents. Part of their (or anyone else's) well-being is entailed by their self-respect. And part of that self-respect, as I have argued, is the recognition of themselves as who they are. In this case, part of their identities is as the sort of Christians that they claim to be. Teachings that are a threat to their identities can be harmful. The case would be significantly different if the Warners were requesting that all homosexuals be condemned as something less than other citizens of the state. The school could (in fact, should) speak out against belief that denies the claims to equal concern of certain citizens. A condemnation of a lifestyle or of choice of life plan is an

inevitable consequence of value pluralism; it is precisely here that tolerance is called for.

There is a large gap in this analysis so far. There is a tradition in theories of liberal tolerance that suggests that a natural limit to tolerance is that one cannot be expected to tolerate the intolerant. This position goes back at least as far as Locke and Milton. In their cases, they were arguing for religious freedom within England, but were concerned that the extension of tolerance to Catholics—their paradigm of the intolerant—would be self-defeating. For if tolerance is to survive as a public ideal, it cannot survive the threat of intolerance; unlicensed toleration would self-destruct if intolerant forces were permitted to undermine the very principle that gives them support. While it is probably true that tolerant society can survive small pockets of intolerance, this is certainly a legitimate concern in general. But does it apply to this case? If this principle is to apply, we would need to show that the Warners were (sufficiently) intolerant and that, therefore, their children do not have the "right" to be protected from Patrick Leblanc's teaching. This is the point of ultimate tension in this case.

It is both true that the Warners are intolerant of homosexuals and that teachings of celebratory pluralism with regard to homosexuality would be intolerant of the Warners' religious convictions. This is a case where neither side can legitimately back down nor can they give in completely. Any compromise necessary for an adequate resolution of the case must be

sensitive to the above. I will present one plausible strategy Patrick Leblanc could employ while maintaining the integrity of Razian liberalism.

Mr. Leblanc would be required, as Mr. Warner requests, to give some basic facts regarding homosexuals and homosexuality. It is reasonable and desirable for him to outline the basic moral facts of homosexuality within our culture. That is, that homosexuality is a relatively common expression of human sexual and personal experience. Homosexuals are citizens like any others, and are of course deserving of the same civil liberties as any other citizens. But it needs to be noted that there are groups within our society for whom homosexuality is seen to be a grievous sin. For these people, homosexual activity is not something which is to be engaged in. These are some basic social facts; no amount of pleading from either side is going to change this, at least not in the near future. It is not essential that Patrick take sides on the issue; the positions can be presented fairly and reasonably for students to evaluate and understand to the best of their ability.

As a teacher, Patrick can legitimately show that this is a very clear case of the tensions within value pluralism. One could not be both a practicing homosexual and a "Warner-type" Christian. It is not the case that a liberal society should intervene in either of these lives or strive to eliminate one in favour of the other. What the liberal state can insist on, however, is tolerance. Patrick can and should clearly take sides on the issue of whether homosexuals ought to be denied employment, places to live, freedom of

association and so on. There is no conflict here: these are the goods to be enjoyed by all citizens.

Patrick can, in good conscience, propose that his lessons promote the civic virtue of tolerance while allowing for a suspension of public judgment on the "sinfulness" of homosexuality. Of course, there is no general way of knowing if persons such as Mr. Warner would accept such a proposal; but it is an appropriate proposal to make.

Chapter Five: Final Comments

The modern liberal state, according to Raz, recognizes the centrality of autonomy to well-being. Autonomy, on this view, is conceived in such as way as to require for its existence a meaningful range of options. This fact, combined with the range of abilities, interests, etc. found in human life leads to the principle of value pluralism, the recognition that there are many incommensurably valuable lives that can be lived. Raz's thickly conceived autonomy leads to a recognizably liberal polity: the state is prohibited, as a matter of moral principle, from favouring only one, narrow vision of the good life from among the wide range of incommensurable possibilities that citizens might permissibly endorse. Razian perfectionism is, therefore, necessarily pluralistic in nature.

Still, Raz is unwilling to accept the claim that any autonomously chosen life plan is acceptable to the liberal state. Autonomous life is only valuable if engaged in the pursuit of valuable options. Value pluralism does not claim that every conceivable form of life is valuable; it only claims that of the many valuable forms of life possible, there is no way or ranking their relative moral worth. In light of this, it follows that whatever autonomy-based duties individuals and the state may have, they are informed both by the requirement of the availability of an adequate range of valuable options and by the potentially competitive nature of acceptable, but incompatible forms of life. That is, by ensuring that a range of options is available and, thus, a

range of acceptable but incompatible forms of life will be possible, the discharge of autonomy-based duties is likely to lead to intolerance and conflict. Thus, the state will legitimately require that individuals acquire and practice the virtue of tolerance with regard to potentially morally valuable forms of life that are incompatible with their own.

Raz offers a problematic four-part description of tolerance. He claims that one is only tolerant if one restrains behavior which is: 1) unwelcome or normally seen as unwelcome by the one to whom it is addressed; 2) against one's inclination; 3) against an inclination based on distaste or antagonism toward its object; and 4) seen by its acting agent as worthwhile or desirable. This fourth criterion is mistaken. While it is certainly true that one is only tolerant if one is tempted not to be, it does not follow that one cannot be tolerant through the restraint of what one knows is wrong, but one is tempted to do anyway. In the end, this correction of Raz's definition alters very little in the application of his views.

Probably the most challenging objection to Raz's theory comes through the question of the legislation of morality. Since the perfectionist state is only interested in securing valuable options, and is prepared to actively discourage empty or wicked ones, why should it not go the distance and legislate considerably more of morality that it does? In other words, in a Razian state, could legislators legitimately take control of what is normally seen as private morality? Raz's response to this question is complex. Since immorality is, by definition, harmful, the perfectionist appears to be forced to

accept what many will regard as the inherently illiberal idea that the state can permissibly legislate morality. I have attempted to respond for Raz as follows. The legislation of morality will often in practice undermine the virtue which underpins the initial aims of morals legislation. For example, using the force of law to compel people to stay married changes the nature of commitment in marriage. Whereas one would normally want marriages to remain whole because of the virtuous commitment of the married, making divorce illegal or difficult to obtain acts to remove some of the reason for virtuous commitment in the first place. While such examples do not show decisively why morals legislation is always wrong—again, no such argument can be forthcoming in the perfectionist arsenal—they do show why perfectionist legislators need not act illiberally in such matters. On the contrary, such examples show that a strong perfectionist case may often be available for a salutary liberal caution about the political enforcement of morals. Legislators should only legislate that which they are likely to judge correctly; it is not clear that anyone can properly predict the distortions to moral life that can come about from state coercion with regard to what are normally seen as personal matters.

The use of coercive measures is restricted by the harm principle—coercion is only justifiable when it is used to prevent harm. This is problematic because good life in liberal society is logically related to personal autonomy. Coercion, of course, is inimical to autonomy. The harm principle itself is filled with tension: the prevention of harm with coercion is itself

harmful. Thus we see that good government is often a matter of balancing harms, of using coercion to prevent or redress harm greater than the coercion itself and of using restraint when the force of law is more harmful than that from which it aims to protect. This is a second important argument against the enforcement of "trivial" morality.

An appreciation of the nature of harm and of the promotion of meaningful, autonomous lives leads policy beyond tolerance toward recognition and celebratory pluralism. As I illustrated in the final chapter, these values have complex and profound implications for the conduct of education in liberal societies. The reason the state recognizes the value of personal autonomy is because it is seen to be an essential ingredient of well-being in contemporary Western democratic society. Recognition is seen to be another important ingredient of well-being. That is, it is important to the self-respect of citizens to be able to hold their heads high and be seen as valuable for what they are. The celebratory pluralism of multiculturalism is seen to be a part of this: multiculturalism recognizes that group membership is an essential part of personal well-being as well. But celebratory pluralism seems to sometimes ask too much of individuals. In particular, some forms of life have as central features the rejection of features central to other, incompatible forms. This is hardly surprising given the derivation of the virtue of tolerance from value pluralism. In cases where the divisions between incompatible forms of life are great, the celebration of these differences is too much to demand. In this light, we see that tolerance is both the least that one

can legitimately do in the face of diversity in Western culture, and the most that can be demanded of one by the state.

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